

WHAT CONGRESS AND GANDHI HAVE DONE TO THE UNTOUCHABLES

CHAPTER III A MEAN DEAL Congress Refuses To Part With Power I

IN the Government of India Act of 1919, there was a provision which had imposed an obligation on, His Majesty's Government to appoint at the end of ten years a Royal Commission to investigate into the working of the Constitution and report upon, such changes as may be found necessary. Accordingly, in 1928 a Royal Commission was appointed under the Chairmanship of Sir John Simon. Indians expected that the Commission would be mixed in its personnel. But Lord Birkenhead who was then the Secretary of State for India was opposed to the inclusion of Indians and insisted on making it a purely Parliamentary Commission. At this, the Congress and the Liberals took great offence and treated it as an insult. They boycotted the Commission and carried on a great agitation against it. To assuage this feeling of opposition it was announced, by His Majesty's Government that after the work of the Commission was completed representative Indians would be assembled for a discussion before the new constitution for India is settled. In accordance with this announcement representative Indians were called to London at a Round Table Conference with the Representatives of Parliament and of His Majesty's Government.

On the 12th November 1930, His late Majesty King George V formally inaugurated the Indian Round Table Conference. From the point of view of Indians the Round Table Conference was an event of great significance. Its significance lay in the recognition by His Majesty's Government of the right of Indians to be consulted in the matter of framing a constitution for India. For the Untouchables it was a landmark in their history. For, the Untouchables were for the first time allowed to be represented separately by two delegates who happened to be myself and Dewan Bahadur R. Srinivasan. This meant that the Untouchables were regarded not merely a separate element from the Hindus but: also of such importance as to have the right to be consulted in, the framing of a constitution for India.

The work of the Conference was distributed among nine committees. One of these committees was called the Minorities Committee to which was assigned the most difficult work of finding a solution, of the Communal question.

Anticipating that this Committee was the most important committee the Prime Minister, the late Mr. Ramsay MacDonald, himself assumed its chairmanship. The proceedings of the Minorities Committee are of the greatest importance to the Untouchables. For, much of what happened, between the Congress and the Untouchables and which has led to bitterness between them will be found in the proceedings of that Committee.

When the Round Table Conference met, the political demands of communities other than the Untouchables were quite well known. Indeed the Constitution of 1919 had recognised them as statutory minorities and provisions relating to their safety and security were embodied in it. In their case the question was of expanding those provisions or altering their shape. With regard to the Depressed Classes the position was different. The Montagu-Chelmsford Report which preceded the Constitution of 1919 had said in quite unmistakable terms that provision must be made in the Constitution for their protection.

But unfortunately when the details of the Constitution were framed, the Government of India found it difficult to devise any provisions for their protection except to give them token representation in the legislatures by nomination. The first thing that was required to be done was to formulate the safeguards deemed necessary by the Untouchables for their protection against the tyranny and oppression of the Hindus. This I did by submitting a Memorandum to the Minorities Committee of the Round Table Conference. To give an idea of the safeguards that were formulated by me, I reproduce below the text of the Memorandum :—

A Scheme of Political Safeguards for the Protection of the Depressed Classes in the Future Constitution of a self-governing India, submitted to the Indian Round Table Conference.

The following are the terms and conditions on which the Depressed Classes will consent to place themselves under a majority rule in a self-governing India.

Condition No. I: EQUAL CITIZENSHIP

The Depressed Classes cannot consent to subject themselves to majority rule in their present state of hereditary bondsmen. Before majority rule is established their emancipation from the system of untouchability must be an accomplished fact. It must not be left to the will of the majority. The Depressed Classes must be made free citizens entitled to all the rights of citizenship in common with other citizens of the State.

(A) To secure the abolition of untouchability and to create the equality of citizenship, it is proposed that the following fundamental right shall be made part of the constitution of India,

FUNDAMENTAL RIGHT

U.S.A constitution amendment XIV and Government of Ireland Act 1920, 10 & 11, Geo. V. Ch. 67, Sec. 5(2).	"All subjects of the State in India are equal before the law and possess equal civic rights. Any existing enactment, regulation, order, custom or interpretation of law by which any penalty, disadvantage, disability is imposed upon or any discrimination is made against any subject of the State on account of untouchability shall, as from the day on which this Constitution comes into operation, cease to have any effect in India."
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(B) To abolish the immunities and exemptions now enjoyed by executive

This is so in all Constitutions. See Prof. Keith's remarks in Cmd. 207, p.56.	officers by virtue of Sections 110 and 111 of the Government of India Act 1919 and their liability for executive action be made co-extensive with what it is in the case of a European British Subject.
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Condition No. 11:

FREE ENJOYMENT OF EQUAL RIGHTS

It is no use for the Depressed Classes to have a declaration of equal rights. There can be no doubt that the Depressed Classes will have to face the whole force of orthodox society if they try to exercise the equal rights of citizenship. The Depressed Classes therefore feel that if these declarations of rights are not to be mere pious pronouncements, but are to be realities of everyday life, then they should be protected by adequate pains and penalties from interference in the enjoyment of these declared rights.

(A) The Depressed Classes therefore propose that the following section should be added, to Part XI of the Government of India Act 1919, dealing with Offers, Procedure and Penalties :—

(i) Offence of infringement of Citizenship.

U.S. Status At Large civil	"Whoever denies to any person except for reasons by law applicable to persons of all classes and regardless of any previous condition of untouchability the full enjoyment of any of the accommodations,
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Rights Protection Acts of April 9, 1866, and of March 1, 1875 - passed in the interest of the Nagroes after their emancipation.	advantages, facilities, privilege of inns, educational institutions, roads, paths, streets, tanks, wells and other watering places, of public conveyances on land, air or water, theatres or other places of public amusement, resort or convenience whether they are dedicated to or maintained or licensed for the use of the public shall be punished with imprisonment of either description for a term which may extend to five years and shall also be liable to fine."
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(B) Obstruction by orthodox individuals is not the only menace to the Depressed Classes in the way of peaceful enjoyment of their rights. The commonest form of obstruction is the social boycott. It is the most formidable weapon in the hands of the orthodox classes with which they beat down any attempt on the part of the Depressed Classes to undertake any activity if it happens to be unpalatable to them. The way it works and the occasions on which it is brought into operation are well described in the Report of the Committee appointed by the Government of Bombay in 1928 "to enquire into the educational, economic and social condition of the Depressed Classes (untouchables) and of the Aboriginal Tribes in the Presidency and to recommend measures for their uplift." The following is an extract from the same :—

Depressed Classes and Social Boycott

" 102. Although we have recommended various remedies to secure to the Depressed Classes their rights to all public utilities we fear that there will be difficulties in the way of their exercising them for a long time to come. The first difficulty is the fear of open violence against them by the orthodox classes. It must be noted that the Depressed Classes form a small minority in every village, opposed to which is a great majority of the orthodox who are bent on protecting their interests and dignity from any supposed invasion by the Depressed Classes at any cost. The danger of prosecution by the Police has put a limitation upon the use of violence by the orthodox classes and consequently such cases are rare.

"The second difficulty arises from the economic position in which the Depressed Classes are found to-day. The Depressed Classes have no economic independence in most parts of the Presidency. Some cultivate the lands of the orthodox classes as their tenants at will. Others live on their earnings as farm labourers employed by the orthodox classes and the rest subsist on the food or grain given to them by the orthodox classes in lieu of service rendered to them as village servants. We have heard of numerous instances where the orthodox classes have used their economic power as a weapon against those Depressed Classes in their villages, when the latter have dared to exercise their rights, and

have evicted them from their land, and stopped their employment and discontinued their remuneration as village servants. This boycott is often planned on such an extensive scale as to include the prevention of the Depressed Classes from using the commonly used paths and the stoppage of sale of the necessaries of life by the village Bania. According to the evidence sometimes small causes suffice for the proclamation of a social boycott against the Depressed Classes. Frequently it follows on the exercise by the Depressed Classes of their right to the use of the common well, but cases have been by no means rare where a stringent boycott has been proclaimed simply because a Depressed Class man has put on the sacred thread, has bought a piece of land, has put on good clothes or ornaments, or has carried a marriage procession with the bridegroom on the horse through the public street.

"We do not know of any weapon more effective, than this social boycott which could have been invented for the suppression of the Depressed Classes. The method of open violence pales away before it, for it has the most far reaching and deadening effects. It is the more dangerous because it passes as a lawful method consistent with the theory of freedom of contract. We agree that this tyranny of the majority must be put down with a firm hand, if we are to guarantee the Depressed Classes the freedom of speech and action necessary for their uplift."

In the opinion of the Depressed Classes the only way to overcome this kind of menace to their fights and liberties is to make social boycott an offence punishable by law. They are therefore bound to insist that the following sections should be added to those included in Part XI, of the Government of India Act 1919, dealing with Offences, Procedure and Penalties.

1. OFFENCE OF BOYCOTT DEFINED

(i) A person shall be deemed to boycott another who—

<p>This and the following legal provisions are bodily taken from Burma Anti Boycott Act 1822 with a few changes to suit the necessities of the case.</p>	<p>(a) refuses to let or use or occupy any house or land, or to deal with, work for hire, or do business with another person, or to render to him or receive from him any service, or refuses to do any of the said things on the terms on which such things should commonly be done in the ordinary course of business, or</p> <p>(b) abstains from such social, professional or business relations as he would, having regard to such existing customs in the community which are not inconsistent with any fundamental right or other rights</p>
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	of citizenship declared in the Constitution ordinarily maintain with such person, or (c) in any way injures, annoys or interferes with such other person in the exercise of his lawful rights.
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II. PUNISHMENT FOR BOYCOTTING

Whoever, in consequence of any person having done any act which he was legally entitled to do or of his having omitted to do any act which he was legally entitled to omit to do, or with intent to cause any person to do any act which he is not legally bound to do or to omit to do any act which he is legally entitled to do, or with intent to cause, harm to such person in body, mind, reputation or property, or in his business or means of living, boycotts such person or any person in whom such person is interested, shall be punished with imprisonment of either description which may extend to seven years or with fine or with both,

Provided that no offence shall be deemed to have been committed under this Section, if the Court is satisfied that the accused person has not acted at the instigation of or in collusion with any other person or in pursuance of any conspiracy or of any agreement or combination to boycott.

III. PUNISHMENT FOR INSTIGATING OR PROMOTING A BOYCOTT

Whoever—

(a) publicly makes or publishes or circulates a proposal for, or (b) makes, publishes or circulates any statement, rumour or report with intent to, or which he has reason to believe to be likely to, cause or

(c) in any other way instigates or promotes the boycotting of any person or class of persons, shall be punished with imprisonment which may extend to five years, or with fine or with both.

Explanation.—An offence under this section shall be deemed to have been committed although the person affected or likely to be affected by any action of the nature referred to herein is not designated by name or class but only by his acting or abstaining from acting in some specified manner.

IV. PUNISHMENT FOR THREATENING A BOYCOTT

Whoever, in consequence of any person having done any act. which he was legally entitled to do or of his having omitted to do any act which he was legally entitled to omit to do, or with intent to cause any person to do any act which he is not legally bound to do, or to omit to do any act which he is legally entitled to do, threatens to cause such person or any person in whom such person is

interested, to be boycotted shall be punished with imprisonment, of either description for a term which may extend to five years or with fine or with both.

Exception :—It is not boycott

- (i) to do any act in furtherance of a bona fide labour dispute,
- (ii) to do any act in the ordinary course of business competition. N.B.—All these offences shall be deemed to be cognisable offences.

Condition No. III.

PROTECTION AGAINST DISCRIMINATION

The Depressed Classes entertain grave fears of discrimination either by legislation or by executive order being made in the future. They cannot therefore consent to subject themselves to majority rule unless it is rendered impossible in law for the legislature or the executive to make any invidious discrimination against the Depressed Classes.

It is therefore proposed that the following Statutory provision be made in the constitutional law of India :—

" It shall not be competent for any Legislature or executive in India to pass a law or issue an order, rule or regulation so as to violate the rights of the Subjects of the 'State, regardless of any previous condition of untouchability, in all territories subject to the jurisdiction of the dominion of India,

- (1) to make and enforce contracts, to sue, he parties, and give evidence, to inherit, purchase, lease, sell, hold and convey real and personal property,
- (2) to be eligible for entry into the civil and military employ and to all educational institutions except for such conditions and limitations as may be necessary to provide for the due and adequate representation of all classes of the subjects of the State,
- (3) to be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, educational institutions, privileges of inns, rivers, streams, wells, tanks, roads, paths, streets, public conveyances on land, air and water, theatres, and other places of public resort or amusement except for such conditions and limitations applicable alike to all subjects of every race, class, caste, colour or creed,
- (4) to be deemed fit for and capable of sharing without distinction the benefits of any religious or charitable trust dedicated to or created, maintained or licensed for the general public or for persons of the same faith and religion,
- (5) to claim full and equal benefit of all laws and proceedings for the security of person and property as is enjoyed by other subjects regardless of any previous condition of untouchability and be subject to like punishment pains

and penalties and to none other.

Condition No. IV

ADEQUATE REPRESENTATION IN THE LEGISLATURES

The Depressed Classes must be given sufficient political power to influence legislative and executive action for the purpose of securing their welfare. In view of this they demand that the following provisions shall be made in the electoral law so as to give them—

- (1) Right to adequate representation in the Legislatures of the Country, Provincial and Central.
- (2) Right to elect their own men as their representatives,
 - (a) by adult suffrage, and
 - (b) by separate electorates for the first ten years and thereafter by joint electorates and reserved seats, it being understood that joint electorates shall not be forced upon the Depressed Classes against their will unless such joint electorates are accompanied by adult suffrage.

N.B.—Adequate Representation for the Depressed Classes . cannot be defined in quantitative terms until the extent of representation allowed to other communities is known. But it must be understood that the Depressed Classes will not consent to the representation of any other community being settled on better terms than those allowed to them. They will not agree to being placed at a disadvantage in this matter. In any case the Depressed Classes of Bombay and Madras must have weightage over their population ratio of representation irrespective of the extent of representation allowed to other minorities in the Provinces.

Condition No. V

ADEQUATE REPRESENTATION IN THE SERVICES

The Depressed Classes have suffered enormously at the hands of the high caste officers who have monopolised the Public Services by abusing the law or by misusing the discretion vested in them in administering it to the prejudice of the Depressed Classes and to the advantage of the caste Hindus without any regard to justice, equity or good conscience. This mischief can only be avoided by destroying the monopoly of caste Hindus in the Public Services and by regulating the recruitment to them in such a manner that all communities including the Depressed will have an adequate share in. them. For this purpose

the Depressed Classes have to make the following proposals for statutory enactment as part of the constitutional law;—

- (1) There shall be established in India and in each Province in India a public Services Commission to undertake the recruitment and control of the Public Services.
- (2) No member of the Public Service Commission shall be removed except by a resolution passed by the Legislature nor shall he be appointed to any office under the Crown after his retirement.
- (3) It shall be the duty of the Public Service Commission, subject to the tests of efficiency as may be prescribed
 - (a) to recruit the Services in such a manner as will secure due and adequate representation of all communities, and
 - (b) to regulate from time to time priority in employment in accordance with the existing extent of the representation of the various communities in any particular service concerned.

Condition No. VI

REDRESS AGAINST PREJUDICIAL ACTION OR NEGLECT OF INTERESTS

In view of the fact that the Majority Rule of the future will be the rule of the orthodox, the Depressed Classes fear that such a Majority Rule will not be sympathetic to them and that the probability of prejudice to their interests and neglect of their vital needs cannot be overlooked. It must be provided against particularly because, however adequately represented the Depressed Classes will be in a minority in all legislatures. The Depressed Classes think it very necessary that they should have the means of redress given to them in the constitution. It is therefore proposed that the following provision should be made in the constitution of India :—

British North America Act, 1867, Sec.93

"In and for each Province and in and for India it shall be the duty and obligation of the Legislature and the Executive or any other Authority established by Law to make adequate provision for the education, sanitation, recruitment in Public Services and other matters of social and political advancement of the Depressed Classes and to do nothing that will prejudicially affect them.

"(2) Where in any Province of in India the provisions of this section are violated an appeal shall lie to the Governor-General in Council from any act or decision of any Provincial Authority and to the Secretary of State from any act or decision of a Central Authority affecting the matter.

" (3) In every such case where it appears to the Governor-General in Council or

to the Secretary of State that the Provincial Authority or Central Authority does not take steps requisite for the due execution of the provisions of this Section then and in every such case, and as far only as the circumstances of each case require the Governor-General in Council or the Secretary of State acting as an appellate authority may prescribe, for such period as they may deem fit, take remedial measures for the due execution of the provisions of this Section and of any of its decisions under this Section and which shall be binding upon the authority appealed against,

Condition No. VII

SPECIAL DEPARTMENTAL CARE

The helpless, hapless and sapless condition of the Depressed Classes must be entirely attributed to the dogged and determined opposition of the whole mass of the orthodox population which will not allow the Depressed Classes to have equality of status or equality of treatment. It is not enough to say of their economic condition that they are poverty-stricken or that they are a class of landless labourers, although both these statements are statements of fact. It has to be noted that the poverty of the Depressed Classes is due largely to the social prejudices in consequence of which many an occupation for earning a living is closed to them. This is a fact which differentiates the position of the Depressed Classes from that of the ordinary caste labourer and is often a source of trouble between the two. It has also to be borne in mind that the forms of tyranny and oppression practised against the Depressed Classes are very various and the capacity of the Depressed Classes to protect themselves is extremely limited. The facts, which obtain in this connection and which are of common occurrence throughout India, are well described in the Abstracts of Proceedings of the Board of Revenue of the Government of Madras dated 5th Nov., 1892, No. 723, from which the following is an extract :—

"134. There are forms of oppression only hitherto hinted at which must be at least cursorily mentioned. To punish disobedience of Pariahs, their masters —

- (a) Bring false cases in the village court or in the criminal courts.
- (b) Obtain, on application, from Government waste lands lying all round the paracheri, so as to impound the Pariahs' cattle or obstruct the way to their temple.
- (c) Have mirasi names fraudulently entered in the Government account against the paracheri.
- (d) Pull down the huts and destroy the growth in the backyards.
- (e) Deny occupancy right in immemorial sub-tenancies.

- (f) (f) Forcibly cut the Pariahs' crops, and on being resisted, charge them with theft and rioting.
- (g) Under misrepresentations, get them to execute documents by which they are afterwards ruined.
- (h) Cut off the flow of water from their fields.
- (i) Without legal notice, have the property of sub-tenants attached for the landlords' arrears of revenue.

" 135. It will be said there are civil and criminal courts for the redress of any of these injuries. There are the courts indeed; but India does not breed village Hampdens. One must have courage to go to the courts ; money to employ legal knowledge, and meet legal expenses ; and means to live during the case and the appeals. Further most cases depend upon the decision of the first court; and these courts are presided over by officials who are sometimes corrupt and who generally, for other reasons, sympathize with the wealthy and landed classes to which they belong.

" 136. The influence of these classes with the official world can hardly be exaggerated. It is extreme with natives and great even with Europeans. Every office, from the highest to the lowest, is stocked with their representatives, and there is no proposal affecting their interests but they can bring a score of influence to bear upon it in its course from inception to execution."

There can be no doubt that in view of these circumstances the uplift of the Depressed Classes will remain a pious hope unless the task is placed in the forefront of all governmental activities and unless equalisation of opportunities is realized in practice by a definite policy and determined effort on the part of Government. To secure this end the proposal of the Depressed Classes is that the Constitutional Law. should impose upon the Government of India a statutory obligation to maintain at all times a department to deal with their problems by the addition of a section in the Government of India Act to the following effect:—

"1. Simultaneously with the introduction of this Constitution and as part thereof, there shall be created in the Government of India a Department to be incharge of a Minister for the purpose of watching the interests of the Depressed Classes and promoting their welfare.

"2. The Minister shall hold office so long as he retains the confidence of the Central Legislature.

"3. It shall be the duty of the Minister in the exercise of any powers and duties conferred upon him or transferred to him by law, to take all such steps as may be desirable to secure the preparation, effective carrying out and co-ordination of measures preventative of acts of social injustice, tyranny or oppression against the Depressed Classes and conducive to their welfare through-out India.

"4. It shall be lawful for the Governor-General—

(a) to transfer to the Minister all or any powers or duties in respect of the welfare of the Depressed Classes arising from any enactment relating to education, sanitation, etc. (b) to appoint Depressed Classes welfare bureaus in each province to work under the authority of and in co-operation with the Minister,

Condition No. VIII

DEPRESSED CLASSES AND THE CABINET

Just as it is necessary that the Depressed Classes should have the power to influence governmental action by seats in the Legislature so also it is desirable that the Depressed Classes should have the opportunity to frame the general policy of the Government. This they can do only if they can find a seat in the Cabinet. The Depressed Classes therefore claim that in common with other minorities, their moral rights to be represented in the Cabinet should be recognised. With this purpose in view the Depressed Classes propose :

that in the Instrument of Instructions an obligation shall be placed upon the Governor and the Governor-General to endeavour to secure the representation of the Depressed Classes in his Cabinet.

II

What happened to these demands of the Untouchables and how the members of the Minorities Committee reacted to them can be well understood by a perusal of the Report made by the Minorities Committee to the Round Table Conference. I give below a few extracts from that Report :—

"5. Claims were therefore advanced by various committees that arrangements should be made for communal representation and for fixed proportions of seats. It was also urged that the number of seats reserved for a minority community should in no case be less than its proportion in the population. The methods by which this could be secured were mainly three: (1) nomination, (2) electorates and (3) separate electorates.

"6. Nomination was unanimously deprecated.

"7. Joint electorates were proposed with the proviso that a proportion of seats should be reserved to the communities. Thus a more democratic form would be given to the elections whilst the purpose of the electorate system would be secured. Doubts were expressed that, whilst such a system of election might secure the representation of minorities, it provided no guarantee that the representation would be genuine, but that it might, in its working, mean the nomination or, in any event, the election of minority representatives by the

majority communities.

It was pointed out that this was in fact only a form of community representation and had in practice all the objections to the more direct form of community electorates.

"8. The discussion made it evident that the demand which remained as the only one which would be generally acceptable was separate electorates. The general objection to this scheme has been subject to much previous discussion in India. It involves what is a very difficult problem for solution, viz., what should be the amount of communal representation in the various provinces and in the Centre ; that, if the whole, or practically the whole, of the seats in a legislature are to be assigned to communities, there will be no room for the growth of independent political opinion or of true political parties, and this problem received a serious complication by the demand of the representative of the Depressed Classes that they should be deducted from the Hindu population and be regarded, for electoral purposes, as a separate community.

"9. It was suggested that, in order to meet the most obvious objection to the ear-marking of seats to communities, only a proportion should be so assigned—say 80 per cent. or 90 per cent.—and that the rest should be filled by open election. This, however, was not regarded by some of the communities as giving them the guarantees they required.

" 10. The scheme proposed by Maulana Muhammad Ali, a member of the Sub-Committee, whose death we deplore, that, as far as possible no communal candidate should be elected unless he secured at least 40 per cent. according to arrangement, of the votes of the other community, was also considered. It was, however, pointed out that such a scheme necessarily involved the maintenance of communal registers and so was open to objections similar to those urged against separate electorates.

" 11. No claim for separate electorate or for the reservation of seats in joint electorates was made on behalf of women who should continue to be eligible for election on the same footing as men. But, in order to familiarise the public mind with the idea of women taking an active part in political life and to secure their interim representation on the legislature, it was urged that 5 per cent. of the seats in the first three Councils should be reserved for women and it was suggested that they should be filled by co-option by the elected members voting by proportional representation.

"12. There was general agreement with the recommendation of Sub-Committee No. II (Provincial Constitution) that the representation on the Provincial Executive of important minority communities was a matter of the greatest practical importance for the successful working of the new constitution, and it was also agreed that, on the same grounds, Mohammedans should be represented on the

Federal Executive. On behalf of the smaller minorities a claim was put forward for their representation, either individually or collectively, on the Provincial and Federal Executives or that, if this should be found impossible, in each Cabinet there should be a Minister specially charged with the duty of protecting minority interests.

(Dr. Ambedkar and Sardar Ujjal Singh would add the words " and other important minorities" after the word Mohammedans in line 6).

The difficulty of working jointly responsible Executives under such a scheme as this was pointed out.

"13. As regards the administration, it was agreed that recruitment to both Provincial and Central Services should be entrusted to Public Service Commissions, with instructions to reconcile the claims of the various communities to fair and adequate representation in the Public Services, whilst providing for the maintenance of a proper standard of efficiency.

" 16. It has also been made clear that the British Government cannot, with any chance of agreement, impose upon the communities an electoral principle which, in some feature or other, would be met by their opposition. It was therefore plain that, failing an agreement, separate electorates, with all their drawbacks and difficulties, would have to be retained as the basis of the electoral arrangements under the new constitution. From this the question of proportions would arise. Under these circumstances, the claims of the Depressed Classes will have to be considered adequately.

" 18. The Minorities and Depressed Classes were definite in their assertion that; they could not consent to any self-governing constitution for India unless their demands were met in a reasonable manner."

The Federal Structure Committee, another Committee appointed by the Round Table Conference to discuss the form and functions of the Central Government, had also to consider the question, of the Untouchables in connection with the composition of the Federal Legislatures. In the report it made to the Conference it said :—

"Opinion was unanimous in the sub-committee that, subject to any report of the Minorities Sub-Committee, provision should be made for the representation, possibly in both Chambers and certainly in the Lower Chamber, of certain special interests, namely, the Depressed Classes, Indian Christians, Europeans, Anglo-Indians, Landlords, Commerce (European and Indian) and Labour."

III

Before the first session of the Round Table Conference was concluded the

reports of both the Committees were placed before the Conference and were passed by the Conference. It will be noticed that although agreement on details was lacking it was unanimously accepted that the Untouchables were entitled to recognition as a separate entity for political and constitutional purposes.

The only party in the country whose attitude to this decision of the Round Table Conference was not known when the First Session of the Round Table Conference was closed, was the Congress. This was because the Congress had boycotted the Round Table Conference and was busy in carrying on, civil disobedience against the Government. By the time the Second Session of the Round Table Conference became due, a compromise between His Majesty's Government and the Congress was reached as a result of which the Congress agreed to participate in, it and make its contribution to the solution of the many problems confronting the Conference. Everybody, who had witnessed the good temper, happy relationship and the spirit of give and take shown by the delegates at the first session of the Round Table Conference, hoped that the progress made would be maintained from session to session. Indeed the rate of progress in forging an agreement was expected to be much more rapid as a result of the advent of the Congress. In fact, friends of Congress were alleging that if the session did not produce an agreement it was because of the absence of the Congress.

Everybody was therefore looking forward to the Congress to lead the Conference to success. Unfortunately, the Congress chose Mr. Gandhi as its representative. A worse person could not have been chosen to guide India's destiny. As a unifying force he was a failure. Mr. Gandhi presents himself as a man full of humility. But his behaviour at the Round Table Conference showed that in the flush of victory Mr. Gandhi can be very petty-minded. As a result of his successful compromise with the Government just before he came, Mr. Gandhi treated the whole Non-Congress delegation with contempt. He insulted them whenever an occasion furnished him with an excuse by openly telling them that they were nobodies and that he alone, as the delegate of the Congress, represented the country. Instead of unifying the Indian delegation, Mr. Gandhi widened the breach. From the point of view of knowledge, Mr. Gandhi proved himself to be a very ill-equipped person. On the many constitutional and communal questions with which the Conference was confronted, Mr. Gandhi had many platitudes to utter but no views or suggestions of a constructive character to offer. He presented a curious complex of a man who in, some cases would threaten to resist in every possible way any compromise on, what he regarded as a principle though others regarded it as a pure prejudice but in other cases would not mind making the worst compromises on, issues which appeared to others as matters of fundamental principle on which no compromise should be

made.

Mr. Gandhi's attitude to the demands of the Untouchables at the second session of the Round Table Conference furnishes the best illustration of this rather queer trait in his character. When the delegates assembled for the second session of the Round Table Conference the Federal Structure Committee met first. In the very first speech which he made in the Federal Structure Committee on 15th September 1931, Mr. Gandhi referred to the question of the Untouchables. Mr. Gandhi said:—

"The Congress has, from its very commencement, taken up the cause of the so-called 'Untouchables.' There was a time when the Congress had at every annual session as its adjunct the Social Conference, to which the late Ranade dedicated his energies, among his many other activities. Headed by him you will find, in the programme of the Social Conference, reform in connection with the 'Untouchables' taking a prominent place. But, in 1920, the Congress took a large step and brought in the question of the removal of untouchability as a plank on the political platform, making it an important item of the political programme. Just as the Congress considered the Hindu-Muslim unity—thereby meaning unity amongst all the classes—to be indispensable for the attainment of Swaraj, so also did the Congress consider the removal of the curse of untouchability as an indispensable condition for the attainment of full freedom. The position the Congress took up in 1920 remains the same today; and so you will see the Congress has attempted from its very beginning to be what it described itself to be, namely, national in every sense of the term."

Anyone, who has perused how the Congress failed to carry out the 1922 programme for the uplift of the Untouchables which was included in the Bardoli programme and how it left it to the Hindu Maha Sabha, could have no hesitation in saying that what Mr. Gandhi said was untrue. The speech however gave no indication as to what line Mr. Gandhi was going to take on the demands presented by the Untouchables, although I could see the drift of it.¹¹ But he did not leave people long in imagining what his position, was going to be. The meeting of the Federal Structure Committee held on the 17th of September 1931 provided him the necessary occasion. The agenda for the meeting included the question of election of members of the Federal Legislatures. Expressing his views on the subject, Mr. Gandhi made the following statement :—

"I come to sub-head (v)—representation by special constituencies of special interests. I here speak for the Congress. The Congress has reconciled itself to special treatment of the Hindu-Muslim-Sikh tangle. There are sound historical reasons for it but the Congress will not extend that doctrine in any shape or form. I listened to the list of special interests. So far as the Untouchables are concerned, I have not yet quite grasped what Dr. Ambedkar has to say : but of

course, the Congress will share the honour with Dr. Ambedkar of representing the interests of the Untouchables. They are as clear to the Congress as the interests of any other body or of any other individual throughout the length and breadth of India. Therefore I would most strongly resist any further special representation."

This was nothing but a declaration, of War by Mr. Gandhi and the Congress against the Untouchables. In any case it resulted in a war between the two. With this declaration by Mr. Gandhi, I knew what Mr. Gandhi would do in the Minorities Committee which was the main forum for the discussion of this question.

Mr. Gandhi was making his plans to bypass the Untouchables and to close the communal problem by bringing about a settlement between the three parties, the Hindus, the Muslims and the Sikhs. He had been carrying on negotiations privately with the Muslims before the Minorities Committee met, but evidently they had not been concluded. Consequently, when the Minorities Committee met on 28th September 1981, Sir Ali Imam representing the Nationalist Muslim point of view started the debate. He began by saying :—

"I am personally not aware if there are any negotiations going on so far as the Muslim Delegation is concerned. I have had no opportunity of knowing that there are, any proposals at present that are under consideration. It may be, as I have heard generally, that some kind of understanding may be arrived at. I do not vouch for it ; I know nothing about it. If you desire, Sir, that I should put before you the Muslim Nationalists' point of view, I shall be ready to do so ; but, of course, I must have your permission, because it may take a little time and economy of time in a meeting like this is one's principal aim.

"Chairman: The point is that this Committee's business, is very strictly limited to a consolidation of the Minorities problem.

Sir Ali Imam: It is from that point of view that I shall approach the subject.

Chairman : If there is no other official intervention shall I call on Sir Ali Imam ?

Then followed His Highness the Aga Khan who said :—

"I believe that Mahatma Gandhi is going to see the Muslim Delegation to-night. We hope to-night to have a friendly talk with our friend. That is all that I can tell you as far as any possible negotiation is concerned."

Pandit Madan Mohan Malaviya also suggested that a short adjournment may be fruitful of results. Knowing that this was a mischievous move I got up and spoke as follows :—

"I should like to say one word before we adjourn. As regards your suggestion—that while these negotiations are going on members of the other minority communities should prepare their case—I should like to say that so far as the Depressed Classes are concerned, we have already presented our case to the Minorities Sub-Committee last time.

"The only thing which remains for me to do is to put before this Committee a short statement ¹² suggesting the quantum of representation which we want in the different Legislatures. Beyond that I do not think I am called upon to do anything; but the point I am anxious to make at the very outset is this. I have heard with great pleasure that further negotiations are going to take place for the settlement of the communal issue, but I would like to make our position clear at the very start. I do not wish any doubt should be left on this question. Those who are negotiating ought to understand that they are not plenipotentiaries appointed by the Committee to negotiate a settlement ; that whatever may be the representative character of Mr. Gandhi or of the other parties with whom he wishes to negotiate, they certainly are not in a position to bind us— certainly not. I say that most emphatically in this meeting.

"Another thing I want to say is this—that the claims put forward by the various minorities are claims put forward by them irrespective of the consideration as to whether the claims that they have put forward are consistent with the claims of the other minorities. Consequently, any settlement which takes place between one minority on the one hand and the Congress or any other party for the matter of that on the other hand, without taking into consideration the claims which have been put forward by other minorities, can have no binding force as far as I am concerned. I have no quarrel with the question whether any particular community should get weightage or not, but I do want to say most emphatically that whoever claims weightage and whoever is willing to give that weightage he must not give it—he cannot give it—out of my share. I want to make that absolutely plain."

What followed will be clear from the extract from the proceedings given below:—

"Chairman: Do not let there be any misunderstanding. This is the body before which the final settlement must come, and the suggestion is merely that if there are minorities or communities that hitherto have been in conflict with each other they should use a short time for the purpose of trying to overcome their difficulties. That will be a step and a very important and essential step, towards a general agreement, but the agreement is going to be a general one.

Dr. Ambedkar : I have made my position absolutely clear. " Chairman: Dr. Ambedkar's position has been made absolutely clear ; in his usual splendid way he has left no doubt at all about it, and that will come up when this body resumes its discussion. What I would like to do is to get you all to feel that we are co-operating together for a general settlement ; not for a settlement between any two or any three, but a complete settlement.

"Chairman: The position is this. We will adjourn now, I think, and later continue our meetings. Pending any negotiations that may be going on

between any two or any three of you, we can take up the time in listening to a statement of the claims of the other minorities. I think that would be very useful. It would save time, and it would not mar the possibility of any harmony that may be reached between, say, our Sikh friends—who, we know, can look after themselves with a great deal of persistence—Mr. Gandhi and his friends and the Aga Khan and his.

"Dr. Ambedkar: I should like to suggest whether it would not be possible for you to appoint a small Committee consisting of members drawn from the various minority communities, along with the Congress representatives, to sit in an informal manner and discuss this problem during the period of the adjournment.

"Chairman: I was going to make this suggestion. Do not ask me to appoint that Committee; do it yourselves. I have invited you to get together. Could not you manage to hold an informal meeting amongst yourselves and talk the matter over, and then when you speak here you will speak with some sort of knowledge of the effect of what you are saying on others? Could we leave it in that way?" "Dr. Ambedkar: As you like." "Chairman: That would be far better."

No settlement was evidently arrived at between the three parties during the adjournment. Consequently when the Minorities Committee met again on 1st October 1931, Mr. Gandhi said:—

"Prime Minister, after consultation with His Highness the Aga Khan and other Muslim friends last night, we came to the conclusion that the purpose for which we meet here would be better served if a week's adjournment was asked for. I have not had the opportunity of consulting my other colleagues, but I have no doubt that they will also agree in the proposal I am making."

The proposal was seconded by the Aga Khan. I got up to oppose the motion. What I said will be clear from the following extract from the proceedings:—

"Dr. Ambedkar: I do not wish to create any difficulty in our making every possible attempt to arrive at some solution of the problem with which this Committee has to deal, and if a solution can be arrived at by the means suggested by Mahatma Gandhi, I, for one, will have no objection to that proposal.

"But there is just this one difficulty with which I, as representing the Depressed Classes, am faced. I do not know what sort of committee Mahatma Gandhi proposes to appoint to consider this question during the period of adjournment, but I suppose that the Depressed Classes will be represented on this Committee.

"Mr. Gandhi: Without doubt.

"Dr. Ambedkar: Thank you. But I do not know whether in the position in which I am today it would be of any use for me to work on the proposed Committee.

And for this reason. Mahatma Gandhi told us on the first day that he spoke in the Federal Structure Committee that as a representative of the Indian National Congress he was not prepared to give political recognition to any community other than the Mohammedans and the Sikhs. He was not prepared to recognise the Anglo-Indians, the Depressed Classes, and the Indian Christians. I do not think that I am doing any violence to etiquette by stating in this Committee that when I had the pleasure of meeting Mahatma Gandhi a week ago and discussing the question of the Depressed Classes with him, and when we, as members of the other minorities, had the chance of talking with him yesterday in his office, he told us in quite plain terms that the attitude that he had taken in the Federal Structure Committee was a firm and well considered attitude. What I would like to say is that unless at the outset I know that the Depressed Classes are going to be recognised as a community entitled to political recognition in the future Constitution of India, I do not know whether it will serve any purpose for me to join the committee that is proposed by Mahatma Gandhi to be constituted to go into this matter. Unless, therefore, I have an assurance that this Committee will start with the assumption that all those communities which the Minorities Sub-Committee last year recommended as fit for recognition in the future constitution of India will be included, I do not know that I can whole-heartedly support the proposition for adjournment, or that I can whole-heartedly co-operate with the Committee that is going to be nominated. That is what I wish to be clear about.

"Dr. Ambedkar : I should like to make my position further clear. It seems that there has been a certain misunderstanding regarding what I said. It is not that I object to adjournment ; it is not that I object to serving on any Committee that might be appointed to consider the question. What I would like to know before I enter upon, this committee, if they give me the privilege of serving on it, is : What is the thing that this Committee is going to consider ? Is it only going to consider the question of the Mohammedans vis-a-vis the Hindus ? Is it going to consider the question of the Mohammedans vis-a-vis the Sikhs in the Punjab ? Or is it going to consider the question of the Christians, the Anglo-Indians and the Depressed Classes ?

"If we understand perfectly well before we start that this committee will not merely concern itself with the question of the Hindus and the Mohammedans, of the Hindus and the Sikhs, but will also take upon itself the responsibility of considering the case of the Depressed Classes, the Anglo-Indians and the Christians, I am perfectly willing to allow this adjournment resolution to be passed without any objection. But I do want to say this, that if I am to be left out in the cold and if this interval is going to be utilised for the purposes of solving

the Hindu-Muslim question, I would press that the Minorities Committee should itself grapple with the question and consider it, rather than allow the question to be dealt with by some other informal Committee for arriving at a solution of the communal question in respect of some minorities only.

"Mr. Gandhi : Prime Minister and friends, I see that there is some kind of misunderstanding with reference to the scope of the work that some of us have set before ourselves. I fear that Dr. Ambedkar, Colonel Gidney and other friends are unnecessarily nervous about what is going to happen. Who am I to deny political status to any single interest or class or even individual in India ? As a representative of the Congress I should be unworthy of the trust that has been reposed in me by the Congress if I were guilty of sacrificing a single national interest. I have undoubtedly given expression to my own views on these points. I must confess that I hold to those views also. But there are ways and ways of guaranteeing protection to every single interest. It will be for those of us who will be putting our heads together to try to evolve a scheme. Nobody would be hampered in pressing his own views on the members of this very informal conference or meeting.

"I do not think, therefore, that anybody need be afraid as to being able to express his opinion or carrying his opinion also. Mine will be there equal to that of every one of us ; it will carry no greater weight; I have no authority behind me to carry my opinion against the opinion of anybody. I have simply given expression to my views in the national interest, and I shall give expression to these views whenever they are opportune. It will be for you, it is for you to reject or accept these opinions. Therefore please disburse your minds, to everyone of us, of the idea that there is going to be any steam-rolling in the Conference and the informal meetings that I have adumbrated. But if you think that this is one way of coming closer together than by sitting stiffly at this table, you will not carry this adjournment motion but give your whole-hearted co-operation to the proposal that I have made in connection with these informal meetings.

"Chairman .' Then I shall proceed to put it. I put it on the clear understanding, my friends, that the time is not going to be wasted and that these conferences—as Mr. Gandhi has said, informal conferences, but nevertheless I hope very valuable and fruitful conferences—will take place between now and our next meeting. I hope you will all pledge yourselves to use the time in that way."

It is unnecessary for me to recite what happened at the informal meeting held after the adjournment. It was a complete failure if not a fiasco. The meeting was presided over by Mr. Gandhi. Mr. Gandhi began with the most difficult part of the Communal question namely the dispute between the Sikhs and the Muslims in

the Punjab. This problem at one stage appeared to be nearer solution when the parties agreed to abide by the decision of an Arbitrator. The Sikhs, however, refused to proceed further in the matter until they knew who the Arbitrator was. As the Musalmans were not prepared to have the name of the Arbitrator disclosed the matter fell through. Mr. Gandhi was not interested in the problem of the other minorities, such as the Untouchables although he enacted the farce of calling upon the representatives of the other minorities to present a catalogue of their demands. He heard them but took no notice of them much. Did he place them before the meeting for its consideration ? As soon as the Sikh-Muslim settlement broke up, Mr. Gandhi dissolved the meeting. The Minorities Committee met on 8th October 1931. The Prime Minister having called upon Mr. Gandhi to speak first, the latter said :—

"Prime Minister and friends, it is with deep sorrow and deeper humiliation that I have to announce utter failure on my part to secure an agreed solution of the communal question through informal conversations among and with the representatives of different groups. I apologise to you, Mr. Prime Minister, and the other colleagues for the waste of a precious week. My only consolation lies in the fact that when I accepted the burden of carrying on these talks I knew that there was much hope of success and still more in the fact that I am not aware of having spared any effort to reach a solution.

"But to say that the conversations have to our utter shame failed is not to say the whole truth. Causes of failure were inherent in the composition of the Indian Delegation. We are almost all not elected representatives of the parties or groups whom we are presumed to represent; we are here by nomination of the Government. Nor are those whose presence was absolutely necessary for an agreed solution to be found here. Further, you will allow me to say that this was hardly the time to summon the Minorities Committee. It lacks the sense of reality in that we do not know what it is that we are going to get. If we knew in a definite manner that we were going to get the thing we want, we should hesitate fifty times before we threw it away in a sinful wrangle as it would be if we are told that the getting of it would depend upon the ability of the present Delegation to produce an agreed solution of the communal tangle. The solution can be the crown of the Swaraj constitution, not its foundation—if only because our differences have hardened, if they have not arisen, by reason of the foreign domination. I have not a shadow of a doubt that the ice bag of communal differences will melt under the warmth of the sun of freedom.

"I, therefore, venture to suggest that the Minorities Committee be adjourned sine die and that the fundamentals of the constitution be hammered into shape as quickly as may be. Meanwhile, the informal work of discovering a true solution of the communal problem will and must continue ; only it must not

balk or be allowed to block the progress of constitution-building. Attention must be diverted from it and concentrated on the main part of the structure.

"I hardly need point out to the Committee that my failure does not mean the end of all hope of arriving at an agreed solution. My failure does not even mean my utter defeat; there is no such word in the dictionary. My confession merely means failure of special effort for which I presumed to ask for a week's indulgence, which you so generously gave.

"I propose to use the failure as a stepping-stone to success, and I invite you all to do likewise; but, should all effort at agreement fail, even when the Round Table Conference reaches the end of its labours, I would suggest the addition of a clause to the expected constitution appointing a judicial tribunal that would examine all claims and give its final decision on all the points that may be left unsettled."

In the discussion that followed everybody refuted Mr. Gandhi's allegation that the delegates were nominated by Government and did not represent the people. Getting up to make my position clear, I said :—

"Mr. Prime Minister, last night when we parted at the conclusion of the meeting of the informal Committee, we parted, although with a sense of failure, at least with one common understanding, and that was that when we met here today none of us should make any speech or any comment that would cause exasperation. I am sorry to see that Mr. Gandhi should have been guilty of a breach of this understanding. Excuse me, I must have the opportunity to speak. He started by giving what were, according to him, the causes of the failure of the informal Committee. Now, I have my own view of the causes which I think were responsible for the failure of the informal Committee to reach an agreement, but I do not propose to discuss them now. What disturbs me after hearing Mr. Gandhi is that instead of confining himself to his proposition, namely, that the Minorities Committee should adjourn sine die, he started casting certain reflections upon the representatives of the different communities who are sitting round this table. He said that the Delegates were nominees of the Government, and that they did not represent the views of their respective communities for whom they stood. We cannot deny the allegation that we are nominees of the Government, but, speaking for myself, I have not the slightest doubt that even if the Depressed Classes of India were given the chance of electing their representatives to this Conference, I would, all the same, find a place here. I say therefore that whether I am a nominee or not, I fully represent the claims of my community. Let no man be under the mistaken impression as regards that.

"The Mahatma has been always claiming that the Congress stands for the Depressed Classes, and that the Congress represents the Depressed Classes

more than I or my colleague can do. To that claim I can only say that it is one of the many false claims which irresponsible people keep on making, although the persons concerned with regard to those claims have been invariably denying them.

"I have here a telegram which I have just received from a place which I have never visited and from a man whom I have never seen—from the President of the Depressed Classes Union, Kumaun, Almora, which I believe is in the United Provinces, and which contains the following resolution :

"This Meeting declares its non-confidence in the Congress movement which has been carried on in and outside the country, and condemns the methods adopted by the Congress workers."

I do not care to read further, but I can say this (and I think if Mr. Gandhi will examine his position he will find out the truth), that although there may be people in the Congress who may be showing sympathy towards the Depressed Classes, the Depressed Classes are not in the Congress. That is a proposition which I propose to substantiate. I do not wish to enter into these points of controversy. They seem to be somewhat outside the main proposition. The main proposition which Mr. Gandhi has made is that this Committee should be adjourned sine die. With regard to that proposition, I entirely agree with the attitude taken up by Sir Muhammad Shafi. I, for one, cannot consent to this proposition. It seems to me that there are only two alternatives—either that this Minorities Committee should go on tackling the problem and trying to arrive at some satisfactory solution, if that is possible, and then, if that is not possible, the British Government should undertake the solution of that problem. We cannot consent to leave this to the arbitration of third parties whose sense of responsibility may not be the same as must be the sense of responsibility of the British Government.

"Prime Minister, permit me to make one thing clear. The Depressed Classes are not anxious, they are not clamorous, they have not started any movement for claiming that there shall be an immediate transfer of power from the British to the Indian people. They have their particular grievances against the British people and I think I have voiced them sufficiently to make it clear that we feel those grievances most acutely. But, to be true to facts, the position is that the Depressed Classes are not clamouring for transfer of political power. Their position, to put it plainly, is that we are not anxious for the transfer of power; but if the British Government is unable to resist the forces that have been set up in the country which do clamour for transference of political power—and we know the Depressed Classes in their present circumstances are not in a position to resist that—then our submission is that if you make that transfer, that transfer will be accompanied by such conditions and by such provisions that the power

shall not fall into the hands of a clique, into the hands of an oligarchy, or into the hands of a group of people, whether Mohammedans or Hindus ; but that that solution shall be such that the power shall be shared by all communities in their respective proportions. Taking that view, I do not see how I, for one, can take any serious part in the deliberation of the Federal Structure Committee unless I know where I and my community stand."

The Prime Minister in his concluding observations said:— "Let us adjourn, and I will call you together again. In the meantime what I would like would be if those of you are sitting opposite me, the representatives of the small minorities, would also try your hands.

"If there are any common agreements among yourselves, I would suggest that you circulate them. . .It is not the British Government that is going to stand in the way of any agreement . . .Therefore what I would like you to have in your minds after the rather depressing statements to which we have listened, is this: That the British Government wants to go on; the British Government wants you to go on. The British Government will take its action if you cannot go on to an end, because we are determined to make such improvements in the Government of India as will make the Government of India consistent with our own ideas, as will make the Government of India something that is capable of greater and greater expansion towards liberty. That is what we want. I appeal to the Delegates here today—Delegates representing all communities —Do not stand in our way ; because that is what is happening."

IV

Acting on the suggestion of the Prime Minister the minorities met to consider if they could produce a settlement. They tried and produced a settlement which was submitted to the Prime Minister in the evening before the next meeting of the Minorities Committee which took place on 13th November 1931. In his opening remarks the Prime Minister said :—

"The work of this Committee, therefore, was from the very beginning of supreme importance, and I am sorry that you have been unable to present to us an agreed plan.

"Last night, however, I received a deputation representing the Mohammedans, the Depressed Classes, at any rate a section of the Indian Christians, the Anglo-Indians and the British Community. I think that is the complete range. They came and saw me in my room in the House of Commons last night with a document which embodied an agreement that they had come to amongst themselves. They informed me, in presenting the document to me, that it covered something in the region of 46 per cent. of the population of British India.

"I think the best thing would be, as we have had no time to consider this, to treat this document as a document which is official to the records of this Committee and in order that that may be done I shall ask His Highness The Aga Khan formally to present it here, so that it may be entered in our official record."

His Highness The Aga Khan then got up and said :—

"Mr. Prime Minister, on behalf of the Mohammedans, the Depressed Classes, the Anglo-Indians, the Europeans and a considerable section of the Indian Christian groups, I present the document embodying the agreement which has been arrived at between them with regard to the inter communal problem with which the Round Table Conference in general and the Minorities Committee in particular are concerned. We desire to make it clear that this agreement has been arrived at after careful and anxious consideration of this difficult and complicated problem and must be taken as a whole. All parts of the agreement are interdependent and agreements stand or fall as a whole."

This document was known as the Minorities Pact.¹³ In the general discussion that followed Mr. Gandhi's speech no doubt attracted the greatest attention. Mr. Gandhi was furious. He attacked everybody who had taken part in producing the Minorities Pact. He was particularly furious for the recognition given to the Untouchables as a separate political entity. This is what Mr. Gandhi said :—

"I would like to repeat what I have said before, that, while the Congress will always accept any solution that may be acceptable to the Hindus, the Mohammedans and the Sikhs, Congress will be no party to the special electorates for any other minorities. One word more as to the so-called Untouchables. I can understand the claims advanced by other minorities, but the claims advanced on behalf of the Untouchables, that time is the 'unkindest cut of all.' It means the perpetual bar-sinister. I would not sell the vital interests of the Untouchables even for the sake of winning the freedom of India. I claim myself in my own person to represent the vast mass of the Untouchables. Here I speak not merely on behalf of the Congress, but I speak on my own behalf, and I claim that I would get, if there was a referendum of the Untouchables, their vote, and that I would top the poll. And I would work from one end of India to the other to tell the Untouchables that separate electorates, and separate reservation is not the way to remove this bar-sinister, which is the shame, not of them, but of orthodox Hinduism.

"Let this Committee and let the whole world know that today there is a body of Hindu reformers who are pledged to remove this blot of untouchability. We do not want on our register and on our census Untouchables classified as a separate class. Sikhs may remain as such in perpetuity, so may Mohammedans so may Europeans. Will Untouchables remain Untouchables in

perpetuity ? I would far rather that Hinduism died than that Untouchability lived. Therefore, with all my regard for Dr. Ambedkar, and for his desire to see the Untouchables uplifted, with all my regard for his ability, I must say in all humility that here the great wrong under which he has laboured and perhaps the bitter experiences that he has undergone have for the moment warped his judgement. It hurts me to have to say this, but I would be untrue to the cause of the Untouchables, which is as dear to me as life itself, if I did not say it. I will not bargain away their rights for the kingdom of the whole world. I am speaking with a due sense of responsibility, and I say that it is not a proper claim which is registered by Dr. Ambedkar when he seeks to speak for the whole of the Untouchables of India. It will create a division in Hinduism which I cannot possibly look forward to with any satisfaction whatsoever. I do not mind Untouchables, if they so desire, being converted to Islam or Christianity. I should tolerate that, but I cannot possibly tolerate what is in store for Hinduism if there are two divisions set forth in the villages. Those who speak of the political right of Untouchables do not know their India, do not know how Indian Society is today constructed, and therefore I want to say with all the emphasis that I can command that if I was the only person to resist this thing I would resist it with my life."

The Chairman knowing that there was no hope of getting an agreed solution before adjourning the Minorities Committee sine die made a suggestion to the delegates. He said :—

"Will you, each of you, every member of this Committee, sign a request to me to settle the community question and pledge yourselves to accept my decision ? That, I think, is a very fair offer. I do want any section, or any one man. Will the members of this Committee sign a declaration asking me to give a decision, even a temporary one, on the community question, and say that you will agree ? I do not want it now. I say, will you put your names to it and give that to me, with the assurance that the decision come to will be accepted by you and will be worked by you to the best of your ability in the course of the working of the new constitution ? I have asked several sections—at least, individuals—from time to time for that, and I have never got it. That would certainly straighten out the position, but apart from that, do, please, not forget what I said in opening this meeting—that the Government will not allow community differences to prevent it from carrying out its pledges and producing a constitution. Therefore do not make the community difference more important than it is."

V

Thus ended the efforts by the Minorities Committee to bring about a solution of the communal problem. The discussion in the Committee threw Mr. Gandhi's

attitude to the Untouchables in relief. Everybody felt that Mr. Gandhi was the most determined enemy of the Untouchables. So much of his energy and attention did Mr. Gandhi concentrate on the question of the Untouchables that it would not be unfair if it was said that the main purpose for which Mr. Gandhi came to the Round Table Conference was to oppose the demands of the Untouchables.

Those, who were friends of Mr. Gandhi, could not understand Mr. Gandhi's attitude to the demands of the Untouchables. To give recognition to the Muslims and the Sikhs and to refuse it to the Untouchables came to them as a surprise and a puzzle. Whenever they asked for an explanation, Mr. Gandhi did nothing except to get angry. Mr. Gandhi himself could not give a logical and consistent defence of his opposition to the Untouchables. Inside the Round Table Conference his defence was that the Hindus had seriously taken up the cause of the Untouchables and that therefore there was no reason to give them political safeguards. Outside the Round Table Conference he gave totally different reasons. In a speech in defence of his position Mr. Gandhi said :—

"Muslims and Sikhs are all well organised. The 'Untouchables' are not. There is very little political consciousness among them and they are so horribly treated that I want to save them against themselves. If they had separate electorates their lives would be miserable in villages which are the strongholds of Hindu orthodoxy. It is the superior class of Hindus who have to do penance for having neglected the 'Untouchables' for ages. That penance can be done by active social reform and by making the lot of the 'Untouchables' more bearable by acts of service, but not by asking for separate electorates for them. By giving them separate electorates you will throw the apple of discord between the 'Untouchables' and the orthodox. You must understand I can tolerate the proposal for special representation of the Musalmans and the Sikhs only as a necessary evil. It would be a positive danger for the 'Untouchables.' I am certain that the question of separate electorates for the 'Untouchables' is a modern manufacture of Government. The only thing needed is to put them on the voters' list, and provide for fundamental rights for them in the constitution. In cases they are unjustly treated and their representative is deliberately excluded they would have the right to special election tribunal which would give them complete protection. It should be open to these tribunals to order the unseating of an elected candidate and the election of the excluded men.

"Separate electorates to the 'Untouchables' will ensure them bondage in perpetuity. The Musalmans will never cease to be Musalmans by having separate electorates. Do you want the 'Untouchables' to remain 'Untouchables' for ever ? Well, the separate electorates would perpetuate the stigma. What is needed is destruction of untouchability, and when you have done it, the bar-

sinister which has been imposed by an insolent 'superior' class upon an 'inferior' class will be destroyed. When you have destroyed the bar-sinister, to whom will you give the separate electorates ? Look at the history of Europe. Have you got separate electorates for the working classes or women ? With adult franchise, you give the 'Untouchables' complete security. Even the orthodox would have to approach them for votes.

"Now then you ask, does Dr. Ambedkar, their representative, insist on separate electorates for them ? I have the highest regard for Dr. Ambedkar. He has every right to be bitter. That he does not break our heads is an act of self-restraint on his part. He is today so much saturated with suspicion that he cannot see anything else. He sees in every Hindu a determined opponent of the 'Untouchables' and it is quite natural. The same thing happened to me in my early days in South Africa, where I was bounded out by Europeans wherever I went. It is quite natural for him to vent his wrath. But the separate electorates that he seeks will not give him social reform. He may himself mount to power and position but nothing good will accrue to the 'Untouchables.' I can say all this with authority, having lived with the 'Untouchables' and having shared their joys and sorrows all these years."

Mr. Gandhi at the Round Table Conference was not satisfied with mere propaganda. When he found that the propaganda was not succeeding as well as he expected he resorted to intrigue. When Mr. Gandhi heard that at the suggestion of the Prime Minister the minorities were about to produce a settlement and that this settlement would have the effect of the Untouchables getting the support of the other minorities and particularly of the Muslims, Mr. Gandhi felt considerably disturbed. He devised a scheme to isolate the Untouchables. For this Mr. Gandhi planned to buy out the Musalmaus by giving to the Musalmans their fourteen demands, which Mr. Gandhi was not in the beginning prepared to agree. When he found the Musalmans were lending their support to the Untouchables Mr. Gandhi agreed to them their fourteen points on condition that they withdrew their support from the Untouchables. The agreement was actually drafted. The text of it is given below:—

"DRAFT OF GANDHI-MUSLIM PACT¹⁴

MUSLIM DELEGATION TO THE ROUND TABLE CONFERENCE ¹⁵

TEL. : VICTORIA 2360

TELEGRAMS:"COURTLIKE "LONDON.

QUEEN'S HOUSE
57, ST. JAMES' COURT,

BUCKINGHAM GATE,
LONDON, S.W. 1
6th October 1931.

The following proposals were discussed by Mr. Gandhi and the Muslim Delegation at 10 p.m. last night. They are divided into two parts—The proposals made by the Muslims for safeguarding their rights and the proposals made by Mr. Gandhi regarding the Congress policy. They are given herewith as approved by Mr. Gandhi, and placed for submission to the Muslim Delegation for their opinion.

MUSLIM PROPOSALS	MR. GANDHI'S PROPOSALS
<p>1. In the Punjab and Bengal bare majority of one per cent. of Musalmans but the question of whether it should be by means of joint electorates and reservation of 51 per cent. of the whole house should be referred to the Musalman voters before the new constitution comes into force and their verdict should be accepted.</p>	<p>1. That the Franchise should on the basis of adult suffrage. 2. No special reservations to any other community save Sikhs and Hindu Minorities. (Italics are not in the original). 3. The Congress demands : A. Complete Independence.</p>
<p>2. In other provinces where the Musalmans are in a minority the present weightage enjoyed by them to continue, but whether the seats should be reserved to a joint electorate, or whether they should have separate electorates should be determined by the Musalman voters by a referendum under the new constitution, and their verdict should be accepted.</p>	<p>B. Complete control over the defence immediately. C. Complete control over external affairs. D. Complete control over Finance. E. Investigation of public debts and other obligations by an independent tribunal. F. As in the case of a partnership, right of either party to terminate it.</p>
<p>3. That the Musalman representatives to the Central Legislature in both the houses should be 26 per cent. of the total number of the British India representatives, and 7 per cent. at least by convention should be Musalmans, out of the quota</p>	

<p>that may be assigned to Indian States, that is to say, one-third of the whole house when taken together.</p> <p>4. That the residuary power should vest in the federating Provinces of British India.</p> <p>5. That the other points as follows being agreed to :</p> <ol style="list-style-type: none"> 1. Sindh.¹⁶ 2. N.W.F.P.¹⁷ 3. Services.¹⁸ 4. Cabinet.¹⁹ 5. Fundamental rights and safeguards for religion and culture. 6. Safeguards against legislation affecting any community. 	
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It is true that the Untouchables are not mentioned in this draft agreement. But that the Musalmans are bound not to support any other minority except the Sikhs makes it quite clear that they were not to support the Untouchables. In this intrigue, Mr. Gandhi failed as he was bound to. The Musalmans who were out to demand safeguards for themselves could not stand up and oppose the demands of the Untouchables. Mr. Gandhi in his passion for suppressing the Untouchables had lost his sense of discrimination to such extent as not to be able to distinguish between means which are fair and means which are foul. Mr. Gandhi did not care to honour his word. In the Minorities Committee, Mr. Gandhi had said that if the Committee agreed to accept the claim of the Untouchables for separate recognition it was free to do so, which meant that he would abide by the decision of the majority. But when he came to know that the other minorities had agreed to support the Untouchables, he did not hesitate to approach the Musalmans and turn them against the Untouchables by accepting their fourteen points which the Congress, the Hindu Maha Sabha and even the Simon Commission had rejected. Even if Mr. Gandhi was prepared to flout public opinion, and public morality this diabolical plot of Mr. Gandhi fell through because the Musalmans refused to disgrace themselves by joining in it. When the second session of the Round Table Conference was dissolved the delegates to the Minorities Committee accepted the proposal of the Prime Minister to put in a signed

requisition authorizing him to arbitrate and give his decision on, the communal issue. Many delegates did it including Mr. Gandhi.²⁰ There was nothing left for the delegates but to return to India and await the decision of the Prime Minister and having made him the sole arbitrator to accept it with good cheer.

VI

Before I resume the narrative and state what decision the Prime Minister gave, I must describe the strange phenomenon which I, as a member of the Franchise Committee, witnessed. After the close of the second session of the Round Table Conference, the Prime Minister thought it advisable to have the question of franchise for the new constitution examined by a Committee. Accordingly, in December 1931 he appointed a Committee with the late Lord Lothian as its Chairman. Its main term of reference was to devise a system of franchise whereby, to use the language of the Prime Minister's letter of instructions to the Chairman,

"The legislatures to which responsibility is to be entrusted should be representative of the general mass of the population, and that no important section of the community may lack the means of expressing its needs and its opinions."

The Committee started its work early in January 1932. For doing its work the Committee took the help of the Provincial Governments and of the Provincial Franchise Committees consisting of non-officials specially constituted for that purpose province by province. The Committee issued questionnaires. They were replied to by the Provincial Governments, by the Provincial Franchise Committees and by individuals. Witnesses were examined by the Committee sitting with each Provincial Franchise Committee. The Provincial Governments and the Provincial Committees submitted their reports separately to the Committee. They were discussed by the Committee with the Provincial Government and the Provincial Committee before it came to its own conclusion. Besides the general tasks assigned to the Lothian Committee, it had a special task with which it was charged by the Prime Minister. It had relation, to the political demands of the Untouchables which the Prime Minister had referred to in the following terms in his letter of instruction to the Chairman :—

"It is evident from the discussions which have occurred in various connections in the Conference that the new constitution must make adequate provision for the representation of the Depressed Classes, and that the method of representation by nomination is no longer regarded as appropriate. As you are aware, there is a difference of opinion whether the system of separate electorates should be instituted for the Depressed Classes and your

committee's investigations should contribute towards the decision of this question by indicating the extent to which the Depressed Classes would be likely, through such general extension of the franchise as you may recommend, to secure the right to vote in ordinary electorates. On the other hand, should it be decided eventually to constitute separate electorates for the Depressed Classes, either generally or in those provinces in which they form a distinct and separable element in the population, your Committee's inquiry into the general problem of extending the franchise should place you in possession of facts which would facilitate the devising of a method of separate representation for the Depressed Classes."

Following upon, these instructions, it became the task of the Committee to come to some conclusion as to the total population, of the Untouchables in British India.

To the question what is the population of the Untouchables the replies received were enough to stagger anybody. Witness after witness came forward to say that the Untouchables in his Province were infinitesimally small. There were not wanting witnesses who said that there were no Untouchables at all!! It was a most extraordinary sight to see Hindu witnesses perjuring themselves regardless of truth by denying the existence of the Untouchables or by reducing their number to a negligible figure. The members of the Provincial Franchise Committee were also a party to this plan. Strange to say that some of the Hindu members of the Lothian Committee were in the game. This move of denying the very existence of the Untouchables or reducing their number almost to nil was particularly rampant in certain Provinces. How the Hindus were prepared to economise truth, even to a vanishing point, will be evident from the following figures. In the United Provinces, the Census Commissioner in 1931 had estimated the total population of the Untouchables at 12.6 millions, the Provincial Government at 6.8 millions but the Provincial Franchise Committee at .6 millions only!! In Bengal, the Census gave the figures of 10.3 millions, Provincial Government fixed it as 11.2 millions but the Provincial Franchise Committee at .07 millions only!

Before the Round Table Conference no Hindu bothered about the exact population of the Untouchables and were quite satisfied with the accuracy of the Census figures which gave the total of the Untouchables at about 70 to 80 millions. Why did then the Hindus start suddenly to challenge this figure when the question was taken up by the Lothian Committee? The answer is very clear. Before the time of the Lothian Committee the population of the Untouchables had no value. But after the Round Table Conference the Hindus had come to know that the Untouchables were demanding separate allotment of their share of representation, that such share must come out of the lump which the Hindus had

been enjoying in the past and that the measure of the share must depend upon the population of the Untouchables. The Hindus had realized that to admit the existence of the Untouchables was detrimental to their interest. They did not mind sacrificing truth and decency and decided to adopt the safest course, namely, to deny that there are any Untouchables in India at all, and thereby knock out the bottom of the political demands of the Untouchables and leave no room for argument. This shows how the Hindus can, conspire in a cold, calculated manner against the Untouchables out of pure selfishness and do indirectly what they cannot do directly.

VII

To resume the thread. Having been, disgusted with the Round Table Conference where there were critics but no devotees, Mr. Gandhi was the first to return to India. On account of a statement which he is alleged to have made in an interview he gave to a newspaper correspondent in Rome wherein he threatened to revive his campaign of civil disobedience, Mr. Gandhi on his arrival was arrested and put in jail. Though in jail, not Swaraj but the Untouchables were on his brain. He feared that, notwithstanding his threat to resist it with his life, the Prime Minister as a sole arbitrator might accept the claims made on behalf of the Untouchables at the Round Table Conference. Long before any decision was given, by the Prime Minister, Mr. Gandhi on 11th March 1932 addressed from jail a letter to Sir Samuel Hoare, the then Secretary of State for India, reminding him of his opposition to the claim of the Untouchables. The following is the text of that letter :—

"DEAR SIR SAMUEL,

You will perhaps recollect that at the end of my speech at the Round Table Conference when the Minorities' claim was presented, I had said that I should resist with my life the grant of separate electorates to the Depressed Classes. This was not said in the heat of the moment nor by way of rhetoric. It was meant to be a serious statement. In pursuance of that statement, I had hoped on my return to India to mobilize public opinion against separate electorates, at any rate, for the Depressed Classes. But it was not to be.

"From the newspapers, I am permitted to read, I observe that any moment His Majesty's Government may declare their decision. At first I had thought, if the decision was found to create separate electorates for the Depressed Classes, I should take such steps as I might then consider necessary to give effect to my vow. But I feel it would be unfair to the British Government for me to act without giving previous notice. Naturally, they could not attach the significance I give to my statement.

"I need hardly reiterate all the objections I have to the creation of separate electorates for the Depressed Classes. I feel as if I was one of them. Their case stands on a wholly different footing from that of others. I am not against their representation in the legislatures. I should favour everyone of their adults, male and female, being registered as voters irrespective of education or property qualification, even though the franchise test may be stricter for others. But I hold that separate electorate is harmful for them and for Hinduism, whatever it may be from the purely political standpoint. To appreciate the harm that separate electorate would do them, one has to know how they are distributed amongst the so-called Caste Hindus and how dependent they are on the latter. So far as Hinduism is concerned, separate electorates would simply vivisect and disrupt it.

"For me the question of these classes is predominantly moral and religious. The political aspect, important though it is, dwindles into insignificance compared to the moral and religious issue.

"You will have to appreciate my feelings in this matter by remembering that I have been interested in the condition of these classes from my boyhood and have more than once staked my all for their sake. I say this not to pride myself in any way. For, I feel that no penance that the Hindus may do can in any way compensate for the calculated degradation to which they have consigned the Depressed Classes for centuries.

"But I know that separate electorate is neither a penance nor any remedy for the crushing degradation they have groaned under. I therefore, respectfully inform His Majesty's Government that in the event of their decision creating separate electorate for the Depressed Classes, I must fast unto death.

"I am painfully conscious of the fact that such a step, whilst I am a prisoner, must cause grave embarrassment to His Majesty's Government, and that it will be regarded by many as highly improper on the part of one holding my position to introduce into the political field methods which they would describe as hysterical if not much worse. All I can urge in defence is that for me the contemplated step is not a method, it is part of my being. It is the call of conscience which I dare not disobey, even though it may cost whatever reputation for sanity I may possess. So far as I can see now my discharge from imprisonment would not make the duty of fasting any the less imperative. I am hoping, however, all my fears are wholly unjustified and the British Government have no intention whatever of creating separate electorate for the Depressed Classes."

The following reply was sent to Mr. Gandhi by the Secretary of State:—

INDIA OFFICE, WHITEHALL,

April 13, 1932.

DEAR MR. GANDHI,

"I write this in answer to your letter of 11th March, and I say at once I realize fully the strength of your feeling upon the question of separate electorates for the Depressed Classes. I can only say that we intend to give any decision that may be necessary solely and only upon the merits of the case. As you are aware, Lord Lothian's Committee has not yet completed its tour and it must be some weeks before we can receive any conclusions at which it may have arrived. When we receive that report we shall have to give most careful consideration to its recommendations, and we shall not give a decision until we have taken into account, in addition to the view expressed by the Committee, the views that you and those who think with you have so forcibly expressed. I feel sure if you were in our position you would be taking exactly the same action we intend to take. You would admit the Committee's report, you would then give it your fullest consideration, and before arriving at a final decision you would take into account the views that have been expressed on both sides of the controversy. More than this I cannot say. Indeed I do not imagine you would expect me to say more."

After giving this warning, Mr. Gandhi slept over the matter thinking that a repetition of his threat to fast unto death was sufficient to paralyse the British Government and prevent them from accepting the claim of the Untouchables for special representation. On the 17th August 1932 the decision of the Prime Minister on the communal question, was announced.

That part of the decision which relates to the Untouchables is produced below:—

Communal Decision by His Majesty's Government 1932.

1. In the statement made by the Prime Minister on 1st December last on behalf of His Majesty's Government at the close of the second session of the Round Table Conference, which was immediately afterwards endorsed by both Houses of Parliament, it was made plain that if the communities in India were unable to reach a settlement acceptable to all parties on the communal questions which the Conference had failed to solve, His Majesty's Government were determined that India's constitutional advance should not on that account be frustrated, and that they would remove this obstacle by devising and applying themselves a provisional scheme.
2. On the 19th March last His Majesty's Government, having been informed that the continued failure of the communities to reach agreement was blocking the progress of the plans for the framing of a new Constitution, stated that they were engaged upon a careful re-examination of the difficult and controversial questions which arise. They are now satisfied that without a decision of at least some aspects of the problems connected with the position of minorities under the new Constitution, no further progress can be made with the framing of the Constitution.

3. His Majesty's Government have accordingly decided that they will include provisions to give effect to the scheme set out below in the proposals relating to the Indian Constitution to be laid in due course before Parliament. The scope of this scheme is purposely confined to the arrangements to be made for the representation of the British Indian communities in the Provincial Legislatures, consideration of representation in the Legislature at the Centre being deferred for the reason given in paragraph 20 below. The decision to limit the scope of the scheme implies no failure to realize that the framing of the Constitution will necessitate the decision of a number of other problems of great importance to minorities, but has been taken in the hope that once a pronouncement has been made upon the basic questions of method and proportions of representation the communities themselves may find it possible to arrive at modus vivendi on other communal problems, which have not received the examination they require.
4. His Majesty's Government wish it to be most clearly understood that they themselves can be no parties to any negotiations which may be initiated with a view to the revision of their decision, and will not be prepared to give consideration to any representation aimed at securing the modification of it which is not supported by all the parties affected. But they are most desirous to close no door to an agreed settlement should such happily be forthcoming. If, therefore, before a new Government of India Act has passed into law, they are satisfied that the communities who are concerned are mutually agreed upon a practicable alternative scheme, either in respect of any one or more of the Governors' Provinces or in respect of the whole of the British India, they will be prepared to recommend to Parliament that that alternative should be substituted for the provisions now outlined.
 5. ***
 6. ***
 7. ***
 8. ***
9. Members of the "depressed classes" qualified to vote will vote in a general constituency. In view of the fact that for a considerable period these classes would be unlikely, by this means alone, to secure any adequate representation in the Legislature, a number of special seats will be assigned to them as shown in the table. These seats will be filled by election from special constituencies in which only members of the "depressed classes" electorally qualified will be entitled to vote. Any person voting in such a special constituency will, as stated above, be also entitled to vote in a general constituency. It is intended that these constituencies should be formed in selected areas where the depressed classes are most numerous, and that,

except in Madras, they should not cover the whole area of the Province.

In Bengal it seems possible that in some general constituencies a majority of the voters will belong to the Depressed Classes. Accordingly, pending further investigation, no number has been fixed for the members to be returned from the special Depressed Class constituencies in that Province. It is intended to secure that the Depressed Classes should obtain not less than 10 seats in the Bengal Legislature.

The precise definition in each Province of those who (if electoral qualified) will be entitled to vote in the special Depressed Class constituencies has not yet been finally determined. It will be based as a rule on the general principles advocated in the Franchise Committee's Report. Modification may, however, be found necessary in some Provinces in Northern India where the application of the general criteria of untouchability might result in a definition unsuitable in some respects to the special conditions of the Province.

His Majesty's Government do not consider that these special Depressed Classes constituencies will be required for more than limited time. They intend that the Constitution shall provide that they shall come to an end after 20 years if they have not previously been abolished under the general powers of electoral revision referred to in paragraph 6.

VIII

Mr. Gandhi found that his threat had failed to have any effect. He did not care that he was a signatory to the requisition asking the Prime Minister to arbitrate. He forgot that as a signatory he was bound to accept the award. He started to undo what the Prime Minister had done. He first tried to get the terms of the Communal Award revised. Accordingly, he addressed the following letter to the Prime Minister:—

YERAVDA CENTRAL PRISON,
August 18, 1932.

DEAR FRIEND,

"There can be no doubt that Sir Samuel Hoare has showed you and the Cabinet my letter to him of 11th March on the question of the representation of the Depressed Classes. That letter should be treated as part of this letter and be read together with this.

"I have read the British Government's decision on the representation of minorities and have slept over it. In pursuance of my letter to Sir Samuel Hoare and my declaration at the meeting of the Minorities Committee of the Round Table Conference on 13th November, 1931, at St. James' Palace, I have to resist your decision with my life. The only way I can do so is by declaring a perpetual fast unto death from food of any kind save water with or without salt and soda.

This fast will cease if during its progress the British Government, of its own motion or under pressure of public opinion, revise their decision and withdraw their scheme of communal electorates for the Depressed Classes, whose representatives should be elected by the general electorate under the common franchise, no matter how wide it is.

"The proposed fast will come into operation in the ordinary course from the noon of 20th September next, unless the said decision is meanwhile revised in the manner suggested above.

"I am asking the authorities here to cable the text of this letter to you so as to give you ample notice. But in any case, I am leaving sufficient time for this letter to reach you in time by the slowest route.

"I also ask that this letter and my letter to Sir Samuel Hoare already referred to be published at the earliest possible moment. On my part, I have scrupulously observed the rule of the jail and have communicated my desire or the contents of the two letters to no one, save my two companions, Sardar Vallabhbhai Patel and Mr. Mahadev Desai. But I want, if you make it possible, public opinion to be affected by my letters. Hence my request for their early publication.

"I regret the decision I have taken. But as a man of religion that I hold myself to be, I have no other course left open to me. As I have said in my letter to Sir Samuel Hoare, even if His Majesty's Government decided to release me in order to save themselves from embarrassment, my fast will have to continue. For, I cannot now hope to resist the decision by any other means; and I have no desire whatsoever to compass my release by any means other than honourable.

"It may be that my judgement is warped and that I am wholly in error in regarding separate electorates for the Depressed Classes as harmful to them or to Hinduism. If so, I am not likely to be in the right with reference to other parts of my philosophy of life. In that case, my death by fasting will be at once a penance for my error and a lifting of a weight from off these numberless men and women who have childlike faith in my wisdom. Whereas if my judgement is right, as I have little doubt it is, the contemplated step is but due to the fulfilment of the scheme of life which I have tried for more than a quarter of a century, apparently not without considerable success.

I Remain,
Your Faithful Friend,
M. K. GANDHI."

The Prime Minister replied as under :—

"10, DOWNING STREET,
September 8th, 1932.

"DEAR MR. GANDHI,

"I have received your letter with much surprise and, let me add, with very

sincere regret. Moreover, I cannot help thinking that you have written it under a misunderstanding as to what the decision of His Majesty's Government as regards the Depressed Classes really implies. We have always understood you were irrevocably opposed to the permanent segregation of the Depressed Classes from the Hindu community. You made your position very clear on the Minorities Committee of the Round Table Conference and you expressed it again in the letter you wrote to Sir Samuel Hoare on 11th March. We also knew your view was shared by the great body of Hindu opinion, and we, therefore, took it into most careful account when we were considering the question of representation of the Depressed Classes.

"Whilst, in view of the numerous appeals we have received from Depressed Class Organisations and the generally admitted social disabilities under which they labour and which you have often recognised, we felt it our duty to safeguard what we believed to be the right of the Depressed Classes to a fair proportion of representation in the legislatures we were equally careful to do nothing that would split off their community from the Hindu world. You yourself stated in your letter of March 11, that you were not against their representation in the legislatures.

"Under the Government scheme the Depressed Classes will remain part of the Hindu community and will vote with the Hindu electorate on an equal footing but for the first twenty years, while still remaining electorally part of the Hindu community, they will receive through a limited number of special constituencies, means of safeguarding their rights and interests that, we are convinced, is necessary under present conditions.

"Where these constituencies are created, members of the Depressed Classes will not be deprived of their votes in the general Hindu constituencies, but will have two votes in order that their membership of the Hindu community should remain unimpaired.

"We have deliberately decided against the creation of what you describe as a communal electorate for the Depressed Classes and included all Depressed Class voters in the general or Hindu constituencies so that the higher caste candidates should have to solicit their votes or Depressed Class candidates should have to solicit the votes of the higher castes at elections. Thus, in every way was the unity of Hindu society preserved.

"We felt, however, that during the early period of responsible Government, when power in the Provinces would pass to whoever possessed a majority in the legislatures, it was essential that the Depressed Classes whom you have yourself described in your letter to Sir Samuel Hoare as having been consigned by Caste Hindus to calculated degradation for centuries, should return a certain number of members of their own choosing to legislatures of seven of the nine

provinces to voice their grievances and their ideals and prevent decisions going against them without the legislature and the Government listening to their case—in a word, to place them in a position to speak for themselves, which every fair-minded person must agree to be necessary. We did not consider the method of electing special representatives by reservation of seats in the existing conditions, under any system of franchise which is practicable, members who could genuinely represent them and be responsible for them, because in practically all cases, such members would be elected by a majority consisting of higher caste Hindus.

"The special advantage initially given under our scheme to the Depressed Classes by means of a limited number of special constituencies, in addition to their normal electoral rights in the general Hindu constituencies, is wholly different in conception and effect from the method of representation adopted for a minority such as the Moslems by means of separate communal electorates. For example, a Moslem cannot vote or be a candidate in a general constituency, whereas any electoral qualified member of the Depressed Classes can vote in and stand for the general constituency.

"The number of territorial seats allotted to Moslems is naturally conditioned by the fact that it is impossible for them to gain any further territorial seats and in most provinces they enjoy weightage in excess of their population ratio ; the number of special seats to be filled from special Depressed Classes constituencies will be seen to be small and has been fixed not to provide a quota numerically appropriate for the total representation of the whole of the Depressed Class population, but solely to secure a minimum number of spokesmen for the Depressed Classes in the legislatures who are chosen exclusively by the Depressed Classes. The proportion of their special seats is everywhere much below the population percentage of the Depressed Classes.

"As I understand your attitude, you propose to adopt the extreme course of starving yourself to death not in order to secure that the Depressed Classes should have joint electorate with other Hindus, because that is already provided, nor to maintain the unity of Hindus, which is also provided, but solely to prevent the Depressed Classes, who admittedly suffer from terrible disabilities today, from being able to secure a limited number of representatives of their own choosing to speak on their behalf in the legislatures which will have a dominating influence over their future.

"In the light of these very lair and cautious proposals, I am quite unable to understand the reason of the decision you have taken and can only think you have made it under a misapprehension of the actual facts.

"In response to a very general request from Indians after they had failed to produce a settlement themselves the Government much against its will,

undertook to give a decision on the minorities question. They have now given it, and they cannot be expected to alter it except on the condition they have stated. I am afraid, therefore, that my answer to you must be that the Government's decision stands and that only agreement of the communities themselves can substitute other electoral arrangements for those that Government have devised in a sincere endeavour to weigh the conflicting claims on their just merits.

"You ask that this correspondence, including your letter to Sir Samuel Hoare of March 11 th, should be published. As it would seem to me unfair if your present internment were to deprive you of the opportunity of explaining to the public the reason why you intend to fast, I readily accede to the request, if on reconsideration you repeat it. Let me, however, once again urge you to consider the actual details of Government's decision and ask yourself seriously the question whether it really justifies you in taking the action you contemplate.

I am,

Yours Very Sincerely,

J. RAMSAY MACDONALD."

Finding that the Prime Minister would not yield he sent him the following letter informing him that he was determined to carry out his threat of fast unto death: —

"YERAVDA CENTRAL PRISON,
September 9th, 1932.

DEAR FRIEND,

" I have to thank you for your frank and full letter telegraphed and received this day. I am sorry, however, that you put upon the contemplated step an interpretation that never crossed my mind. I have claimed to speak on behalf of the very class, to sacrifice whose interests you impute to me a desire to fast myself to death. I had hoped that the extreme step itself would effectively prevent any such selfish interpretation. Without arguing, I affirm that for me this matter is one of pure religion. The mere fact of the Depressed Classes having double votes does not protect them or Hindu society in general from being disrupted. In the establishment of separate electorate at all for the Depressed Classes I sense the injection of poison that is calculated to destroy Hinduism and do no good whatever to the Depressed Classes. You will please permit me to say that no matter how sympathetic you may be, you cannot come to a correct decision on a matter of such vital and religious importance to the parties concerned.

"I should not be against even over-representation of the Depressed Classes. What I am against is their statutory separation even in a limited form, from the Hindu fold, so long as they choose to belong to it. Do you realise that if your decision stands and the constitution comes into being, you arrest the marvellous growth of the work of Hindu reformers, who have dedicated themselves to the uplift of their suppressed brethren in every walk of life ?

"I have, therefore, been compelled reluctantly to adhere to the decision conveyed to you.

"As your letter may give rise to a misunderstanding, I wish to state that the fact of my having isolated for special treatment the Depressed Classes question from other parts of your decision does not in any way mean that I approve of or am reconciled to other parts of the decision. In my opinion, many other parts are open to very grave objection. Only, I do not consider them to be any warrant for calling from me such self immolation as my conscience has promoted me to in the matter of the Depressed Classes.

I Remain,
Your Faithful Friend.
M. K. GANDHI."

Accordingly, on the 20th September 1932, Mr. Gandhi commenced his "fast unto death" as a protest against the grant of separate electorates to the Untouchables.

The story of this fact has been told by Mr. Pyarelal in a volume which bears the picturesque and flamboyant title of "The Epic Fast." The curious may refer to it. I must, however, warn him that it is written by a Boswell and has all the faults of a Boswelliana. There is another side to it, but there is neither time nor space to present it here. All I can do is to invite attention to the statement ²¹ I issued to the Press on the eve of Mr. Gandhi's fast exposing his tactics. Suffice it is to say that although Mr. Gandhi declared a fast unto death, he did not want to die. He wanted very much to live.

The fast nonetheless created a problem, and that problem was how to save Mr. Gandhi's life. The only way to save his life was to alter the Communal Award which Mr. Gandhi said hurt his conscience so much. The Prime Minister had made it quite clear that the British Cabinet would not withdraw it or alter it of its own, but that they were ready to substitute for it a formula that may be agreed upon by the Caste Hindus and the Untouchables. As I had the privilege of representing the Untouchables at the Round Table Conference, it was assumed that the assent of the Untouchables would not be valid unless I was a party to it. The surprising fact is that my position as the leader of the Untouchables of India was not only not questioned by Congressmen but it was accepted as a fact. All eyes naturally turned to me as the man of the moment or rather as the villain of the piece.

As to myself it is no exaggeration to say that no man was placed in a greater and graver dilemma than I was then. It was a baffling situation. I had to make a choice between two different alternatives. There was before me the duty, which I owed as a part of common humanity, to save Gandhi from sure death. There was before me the problem of saving for the Untouchables the political rights which

the Prime Minister had given them. I responded to the call of humanity and saved the life of Mr. Gandhi by agreeing to alter the Communal Award in a manner satisfactory to Mr. Gandhi. This agreement is known as the Poona Pact.

TEXT OF POONA PACT

The following is the text of the agreement:—

(1) There shall be seats reserved for the Depressed Classes out of the general electorate seats in the Provincial Legislatures as follows:

Madras 30 ; Bombay with Sind 15 ; Punjab 8; Bihar and Orissa 18 ; Central Provinces 20 ; Assam 7 ; Bengal 30 ; United Provinces 20 ; Total 148.

These figures are based on the total strength of the Provincial Councils, announced in the Prime Minister's decision.

(2) Election to these seats shall be by joint electorates subject, however, to the following procedure :

All the members of the Depressed Classes, registered in the general electoral roll in a constituency, will form an electoral college, which will elect a panel of four candidates belonging to the Depressed Classes for each of such reserved seats, by the method of the single vote ; the four persons getting the highest number of votes in such primary election shall be candidates for election by the general electorate.

(3) Representation of the Depressed Classes in the Central Legislature shall likewise be on the principle of joint electorates and reserved seats by the method of primary election in the manner provided for in Clause 2 above, for their representation in the Provincial Legislatures.

(4) In the Central Legislature, eighteen per cent of the seats allotted to the general electorate for British India in the said legislature shall be reserved for the Depressed Classes.

(5) The system of primary election to a panel of candidates for election to the Central and Provincial Legislatures, as hereinbefore mentioned, shall come to an end after the first ten years, unless terminated sooner by mutual agreement under the provision of Clause 6 below.

(6) The system of representation of the Depressed Classes by reserved seats in the Provincial and Central Legislatures as provided for in Clauses 1 and 4 shall continue until determined by mutual agreement between the communities concerned in the settlement.

(7) Franchise for the Central and Provincial Legislatures for the Depressed Classes shall be as indicated in the Lothian Committee Report.

(8) There shall be no disabilities attaching to any one on the ground of his being a member of the Depressed Classes in regard to any elections to local bodies or appointment to the Public Services. Every endeavour shall be made to secure

fair representation of the Depressed Classes in these respects, subject to such educational qualifications as may be laid down for appointment to the Public Services.

(9) In every province out of the educational grant, an adequate sum shall be earmarked for providing educational facilities to the Members of the Depressed Classes.

The terms of the Pact were accepted by Mr. Gandhi and given effect to by Government by embodying them in the Government of India Act. The Poona Pact had produced different reactions. The Untouchables were sad. They had every reason to be. There are, however, people who do not accept this. They never fail to point out that the Poona Pact gave the Untouchables larger number of seats than what was given to them by the Prime Minister in his Communal Award. It is true that the Poona Pact gave the Untouchables 148 seats, while the Award had only given them 78. But to conclude from this that the Poona Pact gave them more than what was given by the Award is to ignore what the Award had in fact given to the Untouchables.

The Communal Award gave the Untouchables two benefits:— (i) a fixed quota of seats to be elected by separate electorate of Untouchables and to be filled by persons belonging to the Untouchables ; (ii) double vote, one to be used through separate electorates and the other to be used in the general electorates.

Now, if the Poona Pact increased the fixed quota of seats it also took away the right to the double vote. This increase in Seats can never be deemed to be a compensation, for the loss of the double vote. The second vote given by the Communal Award was a priceless privilege. Its value as a political weapon was beyond reckoning. The voting strength of the Untouchables in each constituency is one to ten. With this voting strength free to be used in the election of caste Hindu candidates, the Untouchables would have been in a position to determine, if not to dictate, the issue of the General Election. No caste Hindu candidate could have dared to neglect the Untouchable in his constituency or be hostile to their interest if he was made dependent upon, the votes of the Untouchables. Today the Untouchables have a few more seats than were given to them by the Communal Award. But this is all that they have. Every other member is indifferent, if not hostile. If the Communal Award with its system of double voting had remained the Untouchables would have had a few seats less but every other member would have been a member for the Untouchables. The increase in the number of seats for the Untouchables is no increase at all and was no recompense for the loss of separate electorate and the double vote. The Hindus, although they did not celebrate the Poona Pact, did not like it. Throughout their commotion to save Mr. Gandhi's life there was a definite current of conscious feeling that the cost of saving his life may be great. Therefore, when they saw the

terms of the Pact they very definitely disliked it, although they had not the courage to reject it. Disliked by the Hindus and disfavoured by the Untouchables, the Poona Pact was given recognition by both parties and was embodied in the Government of India Act.

IX

The signing of the Poona. Pact was followed by the appointment of the Hammond Committee to demarcate constituencies, to fix the number of seats for each constituency and settle the system of voting for the legislatures to be set up under the new constitution.

In carrying out its functions, the Hammond Committee had to take into account the terms of the Poona, Pact and the special sort of electoral plan, agreed upon to meet the needs of the Untouchables. Unfortunately, the Poona Pact having been concluded in a hurry had left many things undefined. Of the things that were left undefined the most important were two namely: (1) Does the 'panel of four' to be elected at the primary election imply four as a. maximum or a minimum ? (2) What was intended to be the method of voting in the final election ? It was contended on behalf of the Hindus that the panel of four was intended to be a minimum. If four candidates are not forthcoming there could be no primary election and therefore, there can be no election for the reserved seat, which they said must remain vacant and the Untouchables should go without representation. On behalf of the Untouchables, I was called to state my interpretation of the disputed points. I contended that four in the Poona Pact meant "not more than four." It did not mean "not less than four." On the question of voting the Hindus contended that the compulsory distributive vote was the most appropriate. On behalf of the Untouchables I contended that the cumulative system of voting was the proper system to be introduced. Fortunately for the Untouchables the Hammond Committee accepted the views propounded by me and rejected those of the Hindus. It is interesting to know why the caste Hindus put forth their contentions. One may well stop here for a moment and ask why did the Hindus raise their particular contentions before the Hammond Committee? Was there any particular motive behind the stand they took ? So far as I am able to see the object which the Hindus had in demanding four candidates as the minimum for a valid primary election was to place the Hindus in a position to capture the seat for an election of such a representative of the Untouchable candidate, who would be their nominee and who would be most willing to be the tool of the Hindus. To get such an Untouchable elected in the final election he must first come in the panel, and he can come in the Panel only if the panel is a large panel. As the election to the panel is by separate electorates consisting exclusively of Untouchable voters it is obvious that if there is only one candidate in the Panel then he would be the staunchest representative of the Untouchable and worst from the standpoint of

the Hindus. If there are two, the second will be less staunch than the first and therefore good from the standpoint of the Hindus. If there are three, the third will be less staunch than the second and therefore better from the standpoint of the Hindus. If there be four the fourth will be less staunch than the third and therefore best from the point of view of the Hindus. The Panel of four could therefore give to the Hindus the best chance of getting into the Panel such representatives of the Untouchables as is most suitable to the Hindus. That is why they insisted before the Hammond Committee that for a valid panel the minimum number must be four.

The object of insisting upon the system of compulsory distributive vote was the same namely to enable the Hindus to capture the seats reserved for the Untouchables. Under the cumulative vote the elector has as many votes as there are seats. He may give them all to one candidate or he may distribute them over two or more candidates as he may desire. Under the distributive system of voting the elector has also as many votes as there are seats, but he can give only one vote to any one candidate. Although the two look different yet in effect there may be no difference, because even under the cumulative vote a voter is not prevented from distributing his votes. He is free to give one vote to one candidate. But the Hindus did not want to take any chance. Their main object was to flood the election to the seat reserved for the Untouchables in the joint electorate by, using the surplus votes of the Hindus in favour of the Untouchable candidate, who happens to be their nominee. The object was to outnumber the Untouchable voters and prevent them from electing their own, nominee. This cannot be done unless the surplus votes of the Hindu voters were diverted from the Hindu candidate towards the Untouchable candidates. There is a greater chance of the diversion of these surplus votes under the distributive system than there is under the cumulative system. Under the former the Hindu voter can give only one vote to the Hindu candidate. The other vote not being of use to the Hindu candidate is usable only for an Untouchable candidate. The distributive system thus had the possibility of flooding the election to the seat reserved for the Untouchables and this is why the Hindus preferred it to the system of cumulative voting. But they did not want to leave it to chance. For, even the distributive system from their point of view was not fool-proof. Under the distributive system there was no compulsion upon the voter to use all his votes. He may use one vote for the caste Hindu candidate and may not at all use the balance of his votes. If this happened the purpose of getting in their untouchable nominee would be defeated. Not to leave things to chance, the Hindus wanted that the distributive system of voting should be made compulsory so that a caste Hindu voter whether he wants it or not can have no option but to vote for the Untouchable candidate who may be the nominee of the Hindus, and thus make

bis election sure and certain.

In the light of these considerations, it cannot but appear that the Poona Pact was only the first blow inflicted upon the Untouchables and that the Hindus who disliked it were bent on inflicting on it other blows as and when circumstances gave them an occasion to do so. The two contentions, which the Hindus raised before the Hammond Committee, furnish the best evidence of the existence of a conspiracy by the Hindus the object of which was to make the Poona Pact, as it could not be repudiated, of no benefit to the Untouchables. The story of how the Congress dealt with the political demands of the Untouchables cannot be left here for the simple reason that it does not end here. The subsequent parts of it are more instructive than those that have gone before.

Continuing the story, the next part of it relates to the election that took place in February 1937 to the Provincial Legislatures, as reconstituted under the Government of India Act, 1935.

This was the first occasion in its life-time that the Congress came down to fight an election. It was also the first time that the Untouchables got the privilege to elect their own representatives. Some leaders of the Untouchables, who were siding with the Congress when the Poona Pact was being forged— such as the late Dewan Bahadur M. C. Raja—cherished the fond hope that the Congress will not inter-meddle in the elections of the Untouchables to the seats reserved for them. But this hope was dashed to pieces. The Congress had a double purpose to play its part in the election to the reserved seats of the Untouchables. In, the first place, it was out to capture in order to build up its majority which was essential for enabling it to form a Government. In the second place, it had to prove the statement of Mr. Gandhi that the Congress represented the Untouchables and that the Untouchables believed in the Congress. The Congress, therefore, did not hesitate to play a full, mighty and, I may say so, a malevolent part in the election of the Untouchables by putting up Untouchable candidates on Congress ticket pledged to Congress programme for seats reserved for the Untouchables. With the financial resources of the Congress it made a distinct gain.

The total number of seats allotted to the Untouchables under the Government of India Act, 1935 are 151 ²². The following table shows how many were captured by Untouchable candidates who stood on the Congress Ticket.

Table. 5

Province	Total Seats Reserved for the Untouchables	Total Seats Captured by the Congress
United Provinces	20	16
Madras	30	26

Bengal	30	6
Central Provinces	20	7
Bombay	15	4
Bihar	15	11
Punjab	8	Nil
Assam	7	4
Orissa Total	G	4
	151	78

This shows that the Congress got just about fifty-one per cent of the seats reserved for the Untouchables.

The Congress in capturing 78 seats left only 73 seats to be filled by true and independent representatives of the Untouchables. The Untouchables were worse off under the Poona Pact than they would have been under the Prime Minister's Award. In point of effective representation, the Untouchables got less than what the Prime Minister had given them. The Congress on the other hand gained by the Poona Pact. Although under the Poona Pact it gave 151 to the Untouchables it took back 78 and thereby made a handsome profit on its political transaction.

This is by no means the sum total of the losses which the Congress inflicted on the Untouchables in the elections of 1937. There was another and a greater blow which the Congress inflicted on the Untouchables. It deprived them of any share in the Executive.

From the very beginning, I had been pressing in the discussions in the Round Table Conference that the Untouchables must not only have the right to be represented in the legislature, they must also have the right to be represented in the Cabinet. The woes of the Untouchables are not due so much to bad laws as to the hostility of the administration, which is controlled by the Hindus who import into administration their age old prejudices against the Untouchables. The Untouchables can never hope to get protection from the police, justice from the judiciary or the benefit of a statutory law from the administration, so long as the Public Services continued to be manned by the illinois. The only hope of making the Public Services less malevolent and more responsible to the needs of the Untouchables is to have members of the Untouchables in the higher Executive. For these reasons, I had at the Round Table Conference pressed the claim of the Untouchables for the recognition of their right to representation in the Cabinet with the same emphasis as I had done for the recognition of their right to representation in the Legislature. The Round Table Conference accepted the validity of the claim and considered ways and means of giving effect to it. There were two ways of giving effect to this proposal. One was to have a statutory provision in the Government of India Act so as to make it a binding obligation

which it would be impossible to evade or to escape ; the other way was not to have a statutory provision but to leave it to a gentleman's agreement—to a convention—as is the case in the English Constitution. I and the representatives of the other minorities although we did not insist upon the first in deference to the wishes of some leading Indians not to show such distrust in our own countrymen were not prepared to accept the second alternative as there was no enforceable sanction behind it. A via media was agreed upon. It was to introduce a clause in, the Instrument of instructions to the Governors imposing an obligation upon them to see that in, the formation of the Cabinet representatives of the Minorities were included. The clause ran as follows :—

"In making appointments to his Council of Ministers our Governor shall use his best endeavours to select his Ministers in the following manner, that is to say, to appoint in consultation with the person who in his judgement is most likely to command a stable majority in the Legislature those persons (including so far as practicable members of important minority communities) who will best be in a position collectively to command the confidence of the Legislature. In so acting, he shall bear constantly in mind the need for fostering a sense of joint responsibility among his Ministers."

What happened to this provision is an interesting story. The Congress declared that they were not prepared to accept the Government of India Act 1935 for various reasons which it is not necessary to reproduce. It was obvious to all and even to many Congressmen that there was no sincerity behind this declaration. It had no other motive but to enhance the prestige of the Congress in the eyes of the public by making it appear that the Congress was a radical and revolutionary body which was out to destroy and bury British Imperialism which is a legend, the Congress has all along tried to create. It was a mere matter of tactics. The Congress wanted to take the powers which the Governors had been given under the Constitution to intervene whenever matters which were his special responsibilities were involved. The Congress did not mind, making the declaration rejecting the Constitution because it thought that as it was the only body which could run the new Parliamentary system the British Government would be obliged to come to terms with it. The British Government threatened to bypass the Congress. It not only appointed 1st April 1937 as the date of the inauguration of the Provincial part of the Constitution but actually went to the length of appointing an interim Ministry of non-Congressmen. Congressmen, who were hungering for power and who constitute a most jealous crowd of politicians, were shaken and felt that they were going to be deprived of the fruits of their labours. Negotiations were started between His Majesty's Government and the Congress High Command. The Congress High Command demanded that if an undertaking was given by His Majesty's Government that the Governors will not

use their powers given to them under the Special Responsibility Clauses in the Constitution by interfering in the day to day administration of the Provinces, the Congress, which was most anxious that the new Constitution should begin to operate with the goodwill of the majority, agreed to give the undertaking demanded. The surprising part of it is that the Congress High Command enlarged the scope of this undertaking so as to include in the undertaking the non-exercise by the Governors of the Provinces of the powers given to them under the Instruments of Instructions to see that the representatives of the minorities were included in the Provincial Ministries. The Governors who gave full accommodation to the Congress surrendered their authority and allowed the Congress to ride rough shod through a very important part of the Constitution with the result that the Untouchables and the other minorities were deprived of their right to representation in the Cabinet by the Congress with impunity and with alacrity.

The deprivation of the Untouchables by the Congress of their right to representation in the Cabinet has the appearance of malice aforethought. One of the grounds, urged by the Congress for the non-inclusion of representatives of the minorities in their Cabinets, was that a cabinet must be a party Cabinet if it is to take collective responsibility and that the Congress was quite ready to include members of the Minority communities in its Cabinet provided they were prepared to join the Congress and sign the Congress pledge. Whatever may be the value of such argument against other minorities, it had absolutely no value against the Untouchables. The Congress could not use it to defend its conduct in excluding the Untouchables from the Cabinet for two reasons. In the first place, the Congress was bound by the terms of the Poona Pact to give representation to the Untouchables in the Cabinet. In the second place, the Congress could not say that there were no Untouchables in the Legislatures who were not members of the Congress Party. On the contrary, there were as many as 78 Untouchables returned on the Congress ticket and pledged to the Congress policy. Why then did the Congress not include them in the Cabinet? The only answer is that it was a part of the Congress policy not to admit the right of the Untouchables to be represented in the Cabinet and that this policy had the support of Mr. Gandhi. Those who may have any doubt as to the correctness of this statement may well consider the evidence set out below.

The first piece of evidence lies imbedded in the story of the expulsion of the Hon'ble Dr. Khare from the Congress. As is well-known, Dr. Khare was the Prime Minister in the Congress Ministry in the Central Provinces. Owing to internal quarrels among the members of his Cabinet, Dr. Khare to get rid of those that were inconvenient adopted the perfectly normal course of tendering his own resignation and that of the other ministers to the Governor with a view to form a

new Cabinet. Thereafter, the Governor in full conformity with constitutional practice recalled Dr. Khare and asked him to form another Cabinet with himself as the Premier. Dr. Khare accepted the invitation and formed a new Cabinet dropping old and inconvenient hands and taking in some new ones. Dr. Khare's new Cabinet was different from the old in one important respect namely, that it included Mr. Agnibhoj, an Untouchable, who was a member of the Central Provinces, who belonged to the Congress Party and who by his education well qualified to be a minister. On the 26th July 1938, the Congress Working Committee met in, Wardha and passed a resolution condemning Dr. Khare on the ground that in tendering the resignation of his colleagues in the old ministry he was guilty of a grave error of judgement and that in forming a new ministry he was guilty of indiscipline. In explaining what was behind this charge of indiscipline in forming a new ministry. Dr. Khare openly said that according to Mr. Gandhi the act of indiscipline consisted in the inclusion of an Untouchable in the Ministry. Dr. Khare also said that Mr. Gandhi told him that it was wrong on his part to have. raised such aspirations and ambitions in the Untouchables and it was such an act of bad judgement that he would never forgive him. This statement was repeatedly made by Dr. Khare from platforms. Mr. Gandhi has never contradicted it.

There is, however, more direct evidence on this point. In 1942 there was held All-India Conference of the Untouchables. In that Conference resolutions setting out the political demands of the Untouchables were passed. An Untouchable of the Congress Party who attended the Conference went to Mr. Gandhi to ascertain what Mr. Gandhi had to say about these demands and put him the following five questions :---

" 1. What will be the position of the Harijans in the future constitution to be framed ?

"2. Will you advise the Government and the Congress to agree to fix the five seats from a Panchayat Board upwards to the State Council on population basis ?

"3. Will you advise the Congress and the leaders of the various majority parties in the legislatures in the provinces to nominate the Cabinet members from among the Scheduled Caste legislators who enjoy the confidence of the majority of Scheduled Caste members ?

"4. In view of the backwardness of the Harijans, will you advise the Government to make a provision in the Act that Executive posts in the Local Boards and Municipal Councils be held on communal rotation, so as to enable the Harijans to become Presidents and Chairmen ?

" 5. Why do you not fix some percentage of seats for Harijans from District Congress Committee upwards to the Working Committee of the Congress ?

Mr. Gandhi gave his answers in the issue of the Harijan dated 2nd August 1942. This is what Mr. Gandhi said :—

"1. The constitution, which I could influence, would contain a provision making the observance of untouchability in any shape or form an offence. The so-called 'untouchables' would have seats reserved for them in all elected bodies according to their population within the elected area concerned.

"2. You will see that the answer is covered by the foregoing.

"3. I cannot. The principle is dangerous. Protection of its neglected classes should not be carried to an extent which will harm them and harm the country. A cabinet minister should be a topmost man commanding universal confidence. A person after he has secured a seat in an elected body should depend upon his intrinsic merit and popularity to secure coveted positions.

"4. In the first place, I am not interested in the present Act which is as good as dead. But I am opposed to your proposal on the ground already mentioned.

" 5. I am opposed for the reasons mentioned. But I should like to compel large elective Congress organisations to ensure the election of Harijan members in proportion to their numbers on the Congress register. If Harijans are not interested enough in the Congress to become 4 anna members, they may not expect to find their names in elective bodies. But I would strongly advise Congress workers to see that they approach Harijans and induce them to become members of the Congress."

Is there any doubt that Mr. Gandhi and the Congress were determined on principle not to recognise the right of the Untouchables to be represented in the Cabinet ? As to the question of qualifications, there would have been some sense if Mr. Gandhi had that limiting condition applicable to all minorities. Dare Mr. Gandhi say that about the Muslim demand ? What is the use in shutting it out in the case of the Untouchables only ? Nobody has claimed that an unqualified Untouchable should be made a Minister. It only confirms the inner feeling of opposition that lies locked in the heart of Mr. Gandhi.

In the series of acts which the Congress perpetrated in order to nullify the Poona Pact there remain two more to mention. First relates to the policy adopted by the Congress Parliamentary Board in selecting candidates for election. Unfortunately, this question has not been studied as deeply as its importance demands. I have examined this question, and I hope to publish the results along with the evidence in a separate treatise. Here, all I can do is to set out the general principles which seem to have been adopted by these Boards in selecting candidates for election. Communal principle played a very great part in it. In a constituency where there were two candidates to choose from, the Congress did not feel it necessary to choose the one more worthy. It chose the one who belonged to a caste which was more numerous. Considerations of

wealth also played their part. A wealthier candidate was often, preferred to a poor and a better qualified candidate. These considerations were unjustifiable. But they could be understood as the object was to adopt a safe candidate who will pull through. But there were other principles followed which reveal a deep-seated plot. Different classes of qualifications were set down, for different classes of candidates. From candidates who came from high caste Hindus as Brahmins and the allied communities those with the highest qualifications were selected. In the case of the Non-Brahmins those with low qualifications were preferred to those with higher qualifications. And in the case of the

Untouchables those with little or no qualifications were selected in preference to those who had. I don't say that is true in every case. But the general result was that of the candidates selected by the Congress, the candidates from the Brahmin and allied communities were the most highly educated, candidates from the non-Brahmins were moderately educated and those from the Untouchables just about literates. This system of selection is very intriguing. There seems to be a deep laid game behind it. Any one who studies it carefully will find that it is designed to allow none but the Brahmins and the allied castes to form the main part of the ministry and to secure for them the support of a docile unintelligent crowd of non-Brahmins and Untouchables who by their intellectual attainments could never dream of becoming rivals of the minister-folk but would be content to follow the lead for no other consideration except that of having been raised to the status of members of the Legislatures. Mr. Gandhi did not see this aspect of the case when he said that to be a minister the Untouchable aspiring for it must be a qualified person. Otherwise, he would have seen that if there were no qualified persons among the Untouchable Congressmen, it was because the Congress Parliamentary Board did not choose well-qualified candidates from the Untouchables.

If the present system of election continues the Congress can always prevent educated Indians from becoming members of the Legislature which is the stepping-stone for becoming a member of the Cabinet. It is a very grave prospect and some steps will have to be taken to retrieve the position. In the meantime, it is enough to say that the scheme of selecting candidates adopted by the Congress dealt the Untouchables a severe blow by depriving them of Executive power under the cover of there being no qualified men to hold it which it created for itself by such clandestine and subterranean means.

The second misdeed of the Congress was to subject the Untouchable Congressmen to the rigours of party discipline. They were completely under the control of the Congress Party Executive. They could not ask a question which it did not like. They could not move a resolution which it did not permit. They could not bring in legislation to which it objected. They could not vote as they chose

and could not speak what they felt. They were there as dumb driven cattle. One of the objects of obtaining representation in the Legislature for the Untouchables is to enable them to ventilate their grievances and to obtain redress for their wrongs. The Congress successfully and effectively prevented this from happening.

To end this long and sad story, the Congress sucked the juice out of the Poona Pact and threw the rind in the face of the Untouchables.

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